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Amendment of the Whole
7/08/02

FILE NO. 020771 MOTION NO. M02-101

[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1, subject to the imposition of conditions by the Board of Supervisors.

MOVED, That decision of the Planning commission by its Motion No. 16375 dated April 11, 2002, approving Conditional Use Application No. 99.0818C to allow the lot size to exceed 9,999 square feet (77,056 square feet existing); to allow the use size to exceed 3,999, square feet (21,000 gross square feet proposed); and to demolish approximately 5,900 gross square feet of a two-story building fronting the Bush Street, and to construct a new two- and three-story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club (The California Tennis Club) per Sections 121.1, 121.2, 303, 711.11, 711.21 and 711.81 of the Planning Code for the property in Assessor's Block 680, Lot 3 in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, Located at:

> 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood; Lot 3, in Assessor's Block 680,

be and the same is disapproved; and, be it

FURTHER MOVED, That the Board of Supervisors approves the Conditional Use Application No. 99.0818C , subject to the 23 conditions imposed by the Planning Commission by its Motion No. 16375, dated April 11, 2002; and, be it

FURTHER MOVED, That the Board of Supervisors imposes the following additional conditions upon the approved conditional use permit:

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24. The California Tennis Club ("CTC") will make available some combination of Full Day and/or Evening Parking described below:

a. Full Day Parking – For This Option the CTC will make available fourteen (14) parking spaces in its enclosed garage to neighboring residents who reside within three hundred (300) feet of CTC ("Neighborhood Residents") at the market monthly rental rate charged for enclosed off street parking in the neighborhood of CTC. Those Neighborhood Residents who do rent space in the CTC's garage will have access to the garage during the same hours the garage is open to CTC's members. During the hours the garage is closed, cars will not be able to enter or exit the garage, but can be left overnight.

b. Evening Parking – For This Option the CTC will make available twenty-one (21) parking spaces in its enclosed garage for use only between the hours of 5:00 p.m. to 9:00 a.m. seven (7) days a week to Neighborhood Residents at 50% of the market monthly rate charged for enclosed off street parking in the neighborhood of CTC. Neighborhood Residents who rent evening parking spaces must have their cars out by 9:00 a.m. every day. During the hours the garage is closed, cars will not be able to enter or exit from the garage, but can be left overnight.

c. Combination of Full Day and Evening Paring – Every Full Day Parking rental will be equivalent of one and on half (1-1/2) Evening Parking rentals. Thus (i) if there are eight (8) Full Day renters, there may be up to nine (9) Evening Parking renters, or (ii) if there are twelve (12) Evening Parking renters, there may be up to six (6) Full Day Parking renters.

25. Prior to CTC Seeking CU approval to expand any existing building or to develop any new structure, CTC will solicit the view of Western Addition Neighborhood

Association ("WANA") and forward WANA's view including any letter WANA wishes to include to CTC members as part of any vote by CTC members on the issue of authorizing CTC to apply for such CU approval.

26. CTC will allow WANA to use CTC meeting room space at no charge under standard CTC Club guidelines.

27. CTC currently has a total of approximately 1,020 members. CTC may not increase its membership to more than 1,075. The CTC General Manager will annually certify in writing on or before January 31st at each year to the Director of City Planning the total number of CTC members and will mail a copy of the certification to the President of WANA.

28. The conditional use will be deemed to have been denied unless the membership of the CTC votes to proceed with the project with the foregoing 27 conditions of approval.

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1 Dr. Carlton B. Goodlett Place
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City and County of San Francisco

Tails

Motion

File Number: 020771 **Date Passed:** July 8, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16375, approving Conditional Use Application No. 99.0818C, on property located at 2455 Bush Street (a.k.a. 1770 Scott Street), and adopting findings pursuant to Planning Code Section 101.1, subject to the imposition of conditions by the Board of Supervisors.

June 3, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

June 17, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

July 1, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

July 8, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 8, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

File No. 020771

I hereby certify that the foregoing Motion was APPROVED on July 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020772 MOTION NO. M02-102

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.0818C, on property located 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 99.0818C on property located at 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting.

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City and County of San Francisco
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Motion

File Number: 020772 **Date Passed:** July 8, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 99.0818C, on property located 2455 Bush Street (a.k.a 1770 Scott Street), for action by the Board at its next meeting.

June 3, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

June 17, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

July 1, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

July 8, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020772

I hereby certify that the foregoing Motion was APPROVED on July 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021181 MOTION NO. M02-103

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Motion

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File Number: 021181 **Date Passed:**

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

July 8, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021181

I hereby certify that the foregoing Motion was APPROVED on July 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021217 MOTION NO. M02-104

[Schedule a meeting of the Committee of the Whole on July 15, 2002.]

Motion requesting the Board of Supervisors convenes as a Committee of the Whole on Monday, July 15th, 2002 to consider legislation, which will amend the compliance date of Sprinkler Ordinance 165-01.

WHEREAS, The Sprinkler Ordinance 165-01 was approved by the Board of Supervisors of the City and County of San Francisco on July 9, 2001 to require the installation of automatic sprinklers systems in residential hotels, as defined in the ordinance; and,

WHEREAS, The compliance date set in this Sprinkler Ordinance has since expired whereby jeopardizing the insurance policies of hundreds of Single Room Occupancy hotels affected by this ordinance and placing tenants at-risk for evictions; and,

WHEREAS, The Sprinkler Ordinance 165-01 is on file with the Clerk of the Board of Supervisors in File No. 010224, which is hereby declared to be a part of this motion as if set forth fully herein; now, therefore, be it

MOVED, That the Board of Supervisors schedule a meeting of the Committee of the Whole on July 15, 2002 to consider legislation which amends the existing compliance date of Ordinance 165-01.

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Motion

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File Number: 021217 **Date Passed:** July 8, 2002

Motion requesting the Board of Supervisors convenes as a Committee of the Whole on Monday, July 15th, 2002 to consider legislation, which will amend the compliance date of Sprinkler Ordinance 165-01.

July 8, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021217

I hereby certify that the foregoing Motion was APPROVED on July 8, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 020903 MOTION NO. M02-105

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2001.0995CE on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting.

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Motion

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File Number: 020903 **Date Passed:** July 15, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.0995CE, on property located at 3130-3154 Noriega Street, for action by the Board at its next meeting.

June 17, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

July 1, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

July 8, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020903

I hereby certify that the foregoing Motion was APPROVED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment of the whole
in committee. 7/9/02

FILE NO. 021150

MOTION NO. M02-106

[Appointments, Planning Commission]

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marilyn Sue Lee to the Planning Commission, terms to be determined by lot.

MOVED, That the Board of Supervisors hereby approves the President's appointments of Lisa Feldstein, Kevin Hughes, and Marilyn Sue Lee to the Planning Commission, terms to be determined by lot.

Lisa Feldstein, Seat No. 1, term to be determined by lot;

Kevin Hughes, Seat No. 2, term to be determined by lot;

Marilyn Sue Lee, Seat 3, term to be determine d by lot.

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Supervisor Ammiano

City and County of San Francisco

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Motion

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File Number: 021150 **Date Passed:** July 15, 2002

Motion approving the Board of Supervisors President's nomination of Lisa Feldstein, Kevin Hughes, and Marilyn Sue Lee to the Planning Commission, terms to be determined by lot.

July 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021150

I hereby certify that the foregoing Motion was APPROVED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021211 MOTION NO. M02-107

[Final Map for a 5 Unit Residential Condominium Project]

Motion approving Final Map of 120 Wetmore Street, a Residential Condominium Project, being a subdivision of Lot 34, Assessor's Block No. 212, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 120 Wetmore Street, a Residential Condominium Project", being a subdivision of Lot 34, Portion of Assessor's Block No. 212, comprising 3 sheets, approved the 10th day of July, 2002 by Department of Public Works Order No. 173,625, be and the same is hereby approved and adopted as the Official Map of 120 Wetmore Street, A Residential Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 25, 2001, that the project intended by the map is consistent with the Master Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached Motion No. 14174; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED :

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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City and County of San Francisco

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Motion

City Hall
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File Number: 021211 **Date Passed:** July 15, 2002

Motion approving Final Map of 120 Wetmore Street, a Residential Condominium Project, being a subdivision of Lot 34, Assessor's Block No. 212, and adopting findings pursuant to City Planning Code Section 101.1.

July 15, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

File No. 021211

I hereby certify that the foregoing Motion was APPROVED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021212 MOTION NO. M02-108

[Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 1001 – 1003 – 1005 – 1007 – 1009 - 1011 Lombard Street, a Residential Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 71, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1001 –1003 – 1005 – 1007 – 1009 - 1011 Lombard Street, a Residential Condominium Project", being a subdivision of Lot 1, Portion of Assessor's Block No. 71, comprising 4 sheets, approved the 10th day of July, 2002 by Department of Public Works Order No. 173,624, be and the same is hereby approved and adopted as the Official Map of 1001 –1003 – 1005 – 1007 – 1009 - 1011 Lombard Street, A Residential Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated January 28, 1998, that the project intended by the map is consistent with the Master Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached Motion No. 14526; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED :

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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City and County of San Francisco

Tails

Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 021212 **Date Passed:** July 15, 2002

Motion approving Final Map of 1001 - 1003 - 1005 - 1007 - 1009 - 1011 Lombard Street, a Residential Condominium Project, being a subdivision of Lot 1, Assessor's Block No. 71, and adopting findings pursuant to City Planning Code Section 101.1.

July 15, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

File No. 021212

I hereby certify that the foregoing Motion was APPROVED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment at Board
7/15/02

FILE NO. 020902 MOTION NO. M02-109

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[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0996CE, on property located 3130-3154 Noriega Street, and approving conditional use application No. 2001.0099 CE subject to the conditions imposed by the Planning Commission and subject to additional conditions imposed by the Board of Supervisors and adopting findings pursuant to Planning code Section101.1.

MOVED, That the decision of the Planning Commission by its Motion No. 16390 dated April 25, 2002, approving Conditional Use Application No. 2001.0995CE, approving a conditional use authorization under Planning Code Sections 121.1, 710.11, and 710.21 to develop a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet, in an NC-1 (Neighborhood Commercial Cluster) District and a 40X Height and Bulk District on property located at::

3130-3154 Noriega Street, on the north side of Noriega Street at 39th Avenue; Lot 7, in Assessor's Block 2011,

be and the same is disapproved; and, be it

FURTHER MOVED, That the Board of Supervisors approves the Conditional Use Application No. 2001.0995CE, subject to conditions imposed by the Planning Commission by its Motion No. 16390, dated April 25, 2002; and, be it

FURTHER MOVED, That the Board of Supervisors imposes the following additional conditions upon the approved conditional use permit:

9. The owners of this building shall make the largest of the two bedroom units in the building subject to the City's Affordable Inclusionary Housing Ordinance;

10. No building permit or site permit shall issue unless the Department of Building Inspection has received, reviewed, and approved a survey performed by a licensed surveyor showing that no point in the newly proposed building (other than ducts, flues, skylights, chimneys, mechanical equipment, ventilators, cooling towers, window-washing equipment, and other minor appurtenances necessary to the operation or maintenance of the structure itself) shall beat a higher elevation above sea level than the highest point of any portion of the parapet of the existing building known as "3100-3126 Noreiga Street";

11. The Department of Building Inspection shall issue no Certificate of Final Completion and Occupancy for the project until it independently verifies, or confirms a surveyor's certification, by field inspection or otherwise, that the property owner has complied with the height limitation stated in Condition 10.

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 020902 **Date Passed:** July 15, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16390, approving Conditional Use Application No. 2001.0995CE, on property located 3130-3154 Noriega Street, and approving Conditional Use Application No. 2001.0099 CE with additional conditions imposed by the Board of Supervisors and adopting findings pursuant to Planning Code Section 101.1.

June 17, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Hall

July 1, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

July 8, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 15, 2002 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 15, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 020902

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment of the Whole
7/15/02

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FILE NO. 021200 MOTION NO. M02-110

[Adopting findings related to the conditional use appeal on property located at 2455 Bush Street (a.k.a. 1770 Scott Street):]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No- 99.0818C (which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square feet of a two-story building fronting on Bush Street, and allowed the construction of a new two and three story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club ((The California Tennis Club)) per Sections 121.1, 121.2, 303, 711,11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680).

The appellant, Janice L. Bolaffi, filed a timely appeal on May 10, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 99.0818C, approved by Planning Commission Motion No. 16375) which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square feet of a two-story building fronting on Bush Street, and allowed the construction of a new two and three story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing California Tennis Club (("CTC")) per Sections 121.1, 121.2, 303, 711.11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush

Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680).

The public hearing before the Board of Supervisors on said appeal was scheduled for June 3, 2002. On June 3 the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. On June 3 the Board heard public comment regarding the appeal, and following the conclusion of the public hearing the Board continued their consideration of the appeal to the meeting of June 17, 2002. On June 17 the Board continued their consideration of the appeal to the meeting of July 1, 2002. On July 1 the Board continued their consideration of the appeal to the meeting of July 8, 2002. On July 8 the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 16375), and approved the issuance of requested Conditional Use Application No. 99.0818C subject to twenty-three (23) conditions imposed by the Planning Commission, and subject to an additional five (5) conditions imposed by the Board of Supervisors.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16375, dated April 11, 2002, except as indicated below.

FURTHER MOVED, That the Board of Supervisors took notice that on August 30, 2001, the Planning Department issued a Certificate of Exemption/Exclusion from Environmental Review finding that the proposed project is exempt/excluded from environmental review, pursuant to the California Environmental Quality Act, the State

Guidelines for Implementation of CEQA and Chapter 31 of the San Francisco Administrative Code, Sections 15301 (e) and (l). Guideline Section 15301 (e) provides for an exemption for the addition to existing structures provided that the addition will not result in an increase of more than 10,000 square feet. The proposed project would only involve the addition of approximately 5,800 square feet. The project also qualified for a Guidelines Section 15301 (e) exemption, which allows for the demolition of up to three small commercial structures designed for an occupant load of 90 persons or less. The Board finds that there have been no substantial Project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the Certificate of Exemption/Exclusion from Environmental Review finding that the proposed project is exempt/excluded from environmental review.

FURTHER MOVED, That at the public hearing on this appeal many members of the public testified that a lack of available off-street parking spaces and consequent demand for additional on-street parking spaces in the area of the CTC occasionally results in a shortage of on-street parking spaces for residences, businesses and other visitors to the neighborhood. Some members of the public also testified that CTC could improve its communication with neighborhood organizations regarding future changes to its facilities. The Board of Supervisors finds that, based upon the public testimony before the Board, that the Project as approved by the Planning Commission, , would not satisfy the requirements of Planning Code Section 303 (c) (1) (A) (ii),as effectively as a Project with additional conditions related to the provision of off-street neighborhood parking, limitations on total CTC membership and provision of neighborhood notice for any future physical changes to the Tennis Club.

FURTHER MOVED, That the Board finds that the applicant needs to provide an accommodation for the parking needs of the neighborhood in order for the Project to better serve, be desirable for, and compatible with, the neighborhood under the provisions of Section 303 (c)(1) (A) (ii) of the Planning Code.

FURTHER MOVED, That at its July 8 meeting the Board of Supervisors disapproved the decision of the Planning Commission, approved the issuance of requested Conditional Use Application No. 99.081 Ck, approved and imposed the conditions of the Planning Commission in its Motion No. 16375, and imposed the following additional conditions to those imposed by the Planning Commission:

"24. The California Tennis Club ("CTC") will make available some combination of Full Day and/or Evening Parking described below:

(a) Full Day Parking - For this option the CTC will make available fourteen (14) parking spaces in its enclosed garage to neighboring residents who reside within three hundred (300) feet of CTC ("Neighborhood Residents") at the market monthly rental rate charged for enclosed off street parking in the neighborhood of CTC. Those Neighborhood Residents who do rent space in the CTC's garage will have access to the garage during the same hours the garage is open to CTC's members. During the hours the garage is closed, cars will not be able to enter or exit the garage, but can be left overnight.

(b) Evening Parking - For this option the CTC will make available twenty-one (21) parking spaces in its enclosed garage for use only between the hours of 5:00 p.m. to 9:00 a.m. seven (7) days a week to Neighborhood Residents at 50% of the market monthly rate charged for enclosed off street parking in the neighborhood of CTC. Neighborhood Residents who rent evening parking spaces must have their cars out by 9:00 a.m. every day. During the hours the garage is closed, cars will not be able to enter or exit from the garage, but can be left overnight.

(c) Combination of Full Day and Evening Parking - Every full day parking rental will be the equivalent of one and one-half (1-1/2) evening parking rentals. Thus, (i) if there are eight (8) full day renters, there may be up to nine (9) evening parking renters, or (ii) if there are twelve (12) evening parking renters, there may be up to six (6) full day parking renters.

25. Prior to CTC seeking CU approval to expand any existing building or to develop any new structure, CTC will solicit the view of the Western Addition Neighborhood Association's ("WANA") and forward WANA's view including any letter WANA wishes to include to CTC members as part, of any vote by CTC members on the issue of authorizing CTC to apply for such CU approval.

26. CTC will allow WANA to use CTC meeting room space at no charge under standard CTC Club guidelines.

27. CTC currently has a total of approximately 1,020 members. CTC may not increase its membership to more than 1,075 members. The CTC General Manager will annually certify in writing on or before January 31 6` of each year to the Director of City Planning the total number of CTC members and will mail a copy of the certification to the President of WANA.

28. The conditional use will be deemed to have been denied unless the membership of the CTC votes to proceed with the Project with the foregoing 27 conditions of approval."

FURTHER MOVED, That with the imposition of Conditions 24-28, as listed above, the Board of Supervisors finds that the Project, as proposed and approved with the conditions him posed by the Planning Commission and as amended by the Board's additional conditions, will better meet the requirements of Planning Code Section 303(c)(1)(A)(ii). The revised Project will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community, and that such use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, and that such use will not adversely affect the General Plan.

FURTHER MOVED, That, on balance, the Project, as revised by the Board of Supervisors, is consistent with the Objectives and Policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion 16375, dated April 11, 2002, and approved the issuance of Conditional Use Application No. 99.0818C on property owned by the California Tennis Club and located at 2455 Bush Street (a.k.a. 1770 Scott Street), subject to the twenty-three (23) conditions imposed by the Planning Commission Motion No. 16375 and an additional five (5) conditions imposed by the Board on July 8, 2002, and referred to earlier in this motion.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 021200 **Date Passed:** July 15, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 99.0818C (which allowed the lot size to exceed 9,999 square feet ((77,056 square feet existing)), allowed the use size to exceed 3,999 square feet ((21,000 gross square feet proposed)), allowed the demolition of approximately 5,900 square feet of a two-story building fronting on Bush Street, and allowed the construction of a new two and three story replacement structure and additions of approximately 11,700 gross square feet with new locker and fitness rooms to serve the existing tennis club ((The California Tennis Club)) per Sections 121.1, 121.2, 303, 711.11, 711.21, and 711.81 of the Planning Code) for the property in an NC-2 (Small-Scale Neighborhood Commercial) District and a 40-X Height and Bulk District, located at 2455 Bush Street (a.k.a. 1770 Scott Street), between Scott and Pierce Streets in the Western Addition neighborhood (Lot 3 in Assessor's Block 680).

July 10, 2002 Board of Supervisors — REFERRED: Board of Supervisors

July 15, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 15, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Ammiano

File No. 021200

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young
Clerk of the Board

FILE NO. 021274

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MOTION NO. M02-111

[Meeting Schedule]

Motion revising the regular meeting schedule of the Board of Supervisors by rescheduling the Board of Supervisors meeting on July 22, 2002 at 2:00 p.m. to 1:00 p.m.

Moved, That the Board of Supervisors meeting of July 22, 2002 at 2:00 p.m. is rescheduled to July 22, 2002 at 1:00 p.m.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021274 **Date Passed:** July 15, 2002

Motion revising the regular meeting schedule of the Board of Supervisors by rescheduling the Board of Supervisors meeting on July 22, 2002, at 2:00 p.m. to 1:00 p.m.

July 15, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Leno

File No. 021274

I hereby certify that the foregoing Motion was APPROVED on July 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020990

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MOTION NO. M02-113

[Board Off-site Meetings]

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on August 21, September 18, and November 20, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

WHEREAS, In the November 1993 election, Proposition O was passed by the voters of San Francisco to allow committee meetings of the San Francisco Board of Supervisors to be held outside of City Hall; and

WHEREAS, The 1996 Charter Section 2.103 continued to allow meetings of the San Francisco Board of Supervisors committees to be held outside of City Hall; and

WHEREAS, The Board of Supervisors on January 14, 2002, adopted Rule 5.7 of its Rules of Order which created the City and School District Committee to hear measures concerning issues of mutual interest that affect the City and School District, its employees, its students, and the families of its students, including the issue of the public use of the School District facilities; and

WHEREAS, The Board of Education on June 22, 1999 adopted Rule 5.6, Policy No. P120, creating the City and School District Committee with the same purpose as cited above and stating the City and School District Committee shall be comprised of two members of the Board of Supervisors and two members of the Board of Education; and,

WHEREAS, At the October 24, 2001 meeting of the City and School District Committee, it was decided to hold bi-monthly meetings at the Irving G. Breyer Board

Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the August 21, September 18, and November 20, 2002 meetings of the City and School District Committee be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First floor, San Francisco at 3:00 p.m.; and be it,

FURTHER MOVED, That the Clerk of the Board of Supervisors is directed to prepare the necessary notices and postings pursuant to Charter Section 2.103.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 020990 **Date Passed:** July 22, 2002

Motion ordering the City and School District Committee meetings of the Board of Supervisors be held at the Irving G. Breyer Board Meeting Room, Board of Education, 555 Franklin Street, First Floor, San Francisco, on August 21, September 18, and November 20, 2002 at 3:00 P.M.; and directing the Clerk of the Board to prepare the proper notices and postings.

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Gonzalez

File No. 020990

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Divided in committee. 7/16/02

FILE NO. 021152 MOTION NO. M02-114

[Appointments, Board of Appeals]

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker to the Board of Appeals, term to be determined by lot.

MOVED, That the Board of Supervisors hereby approves the President's appointment of Doug Shoemaker to the Board of Appeals, term to be determined by lot.

Dough Shoemaker, Seat 1, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

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Supervisor Ammiano
Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

City and County of San Francisco

Tails

Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 021152 **Date Passed:** July 22, 2002

Motion approving the Board of Supervisors President's nomination of Doug Shoemaker to the Board of Appeals, term to be determined by lot.

July 22, 2002 Board of Supervisors — DIVIDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

File No. 021152

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021161 MOTION NO. M02-115

[Zoning Appeal]

Motion approving decision of the Planning Commission by its Motion No. 16428, approving Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No. 16428 dated June 25, 2002, approving Conditional Use Application No. 2001.1203C, allowing the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on St. Ignatius College Preparatory School Building at 2001 - 37h Avenue (aka 2750 Rivera Street) as part of a wireless telecommunications network operated by Cingular Wireless in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District on property located at:

2001 - 37th Avenue (aka 2750 Rivera Street), west side between Ortega
and Quintara Streets; Lot 006, in Assessor's Block 2094,

be and the same is approved.

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City and County of San Francisco

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Tails

Motion

File Number: 021161 **Date Passed:** July 22, 2002

Motion approving decision of the Planning Commission by its Motion No. 16428, approving Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), and adopting findings pursuant to Planning Code Section 101.1.

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

File No. 021161

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021163 MOTION NO. M02-116

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), for action by the Board at its next meeting.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 021163 **Date Passed:** July 22, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1203C, on property located at 2001 - 37th Avenue (aka 2750 Rivera Street), for action by the Board at its next meeting.

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Absent: 1 - McGoldrick

File No. 021163

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021239 MOTION NO. M02-117

[Adopting findings related to the conditional use appeal on property located at 3130-3154 Noriega Street.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0995CE (which approved the development of a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet) for property in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District located at 3130-3154 Noriega Street on the north side of Noriega Street at 39th Avenue (Lot 7 in Assessor's Block 2011).

The appellant, Carolyn Kwan, filed a timely appeal on May 22, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2001.0995CE, approved by Planning Commission Motion No. 16390, dated April 25, 2002) under Planning Code Sections 121.1, 710.11, and 710.21, for the development of a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet, for property in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District located at 3130-3154 Noriega Street on the north side of Noriega Street at 39th Avenue (Lot 7 in Assessor's Block 2011).

The public hearing before the Board of Supervisors on said appeal was scheduled for June 17, 2002. On June 17, 2002, the Board of Supervisors granted a requested continuance of the hearing and consideration of this appeal to July 1, 2002. On July 1, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. On July 1 the Board heard public comment regarding the appeal, and following the conclusion of the public hearing the Board continued its consideration of the appeal to the meeting of July 8, 2002. On July 8 the Board continued its consideration of the appeal to the meeting of July 15. On July 15 the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 16390), and approved the issuance of requested Conditional Use Application No. 2001.0995CE subject to the conditions imposed by the Planning Commission, and subject to additional conditions imposed by the Board of Supervisors.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporate by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16390, dated April 25, 2002, except as indicated below.

FURTHER MOVED, That the Board of Supervisors took notice that on March 27, 2002, the Planning Department issued a Certificate of Determination of Exemption/Exclusion from Environmental Review finding that the proposed Project could not have a significant effect on the environment and that no further environmental review is required. The Planning Commission reviewed and concurred with that determination. The Board finds that there have been no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the Certificate of Determination of Exemption/Exclusion from environmental review.

FURTHER MOVED, That at the public hearing on this appeal many members of the public testified that they had concerns that the size and intensity of the Project would not be compatible with the size and intensity of other buildings in the neighborhood. The Board of Supervisors finds that, based upon the public testimony before the Board, the Project, as approved by the Planning Commission, would not satisfy the requirements of Planning Code Section 303 (c) (1) as effectively as a Project with additional conditions to assure that the Project remains compatible with the neighborhood.

FURTHER MOVED, That the Board finds that the applicant offered, during the Board's consideration of this appeal, to make the largest of the two bedroom residential units in the Project subject to the City's Affordable Inclusionary Housing Ordinance, and that such offer is consistent with, and in furtherance of, the Planning Code Section 101.1 Priority Policy which requires that the City's supply of affordable housing be preserved and enhanced.

FURTHER MOVED, That at its July 15 meeting the Board of Supervisors disapproved the decision of the Planning Commission, approved the issuance of Conditional Use Application No. 2001.0995CE, approved and imposed the conditions of the Planning Commission in its Motion No. 16390, and imposed the following additional conditions to those imposed by the Planning Commission:

"9. The owners of this building shall make the largest of the two bedroom units in the building subject to the City's Affordable Inclusionary Housing Ordinance.

10. No building permit or site permit shall issue unless the Department of Building Inspection has received, reviewed and approved a survey performed by a licensed surveyor showing that no point in the newly proposed building (other than ducts, flues, skylights, chimneys, mechanical equipment, ventilators, cooling towers, window-washing equipment, and other minor appurtenances necessary to the operation or maintenance of the structure itself) shall be at a higher elevation above sea level than the highest point of any portion of the parapet of the existing building know as "3100-3126 Noriega Street."

11. The Department of Building Inspection shall issue no Certificate of Final

Completion and Occupancy for the Project until it independently verifies, or confirms a surveyor's certification, by field inspection or otherwise, that the property owner has complied with the height limitation stated in Condition 10."

FURTHER MOVED, That with the imposition of Conditions 9-11, as listed above, the Board of Supervisors finds that the Project, as proposed and approved with the conditions imposed by the Planning Commission and as amended by the Board's additional conditions, will better meet the requirements of Planning Code Section 303 (c) (1) and Planning Code Section 101.1. The revised Project will provide a development that is necessary or desirable for, and compatible with, the neighborhood or the community, and that such use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, and that such use will not adversely affect the General Plan.

FURTHER MOVED, That, on balance, the Project, as revised by the Board of Supervisors, is consistent with the Objectives and Policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 16390, dated April 25, 2002, and approved the issuance of Conditional Use Application No. 2001.0995CE on property located at 3130-3154 Noriega Street, subject to the eight (8) conditions imposed by Planning Commission Motion No. 16390 and an additional three (3) conditions imposed by the Board on July 15, 2002, and referred to earlier in this motion.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021239 **Date Passed:** July 22, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.0995CE (which approved the development of a new four-story, mixed use building, at a maximum height of forty feet, containing approximately 3,400 square feet of commercial/retail space and nine dwelling units on a lot with a total area exceeding 5,000 square feet) for property in an NC-1 (Neighborhood Commercial Cluster) District and a 40-X Height and Bulk District located at 3130-3154 Noriega Street on the north side of Noriega Street at 39th Avenue (Lot 7 in Assessor's Block 2011).

July 17, 2002 Board of Supervisors — REFERRED: Board of Supervisors

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Ammiano, McGoldrick
Absent: 1 - Gonzalez

File No. 021239

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021257 MOTION NO. M02-118

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[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021257 **Date Passed:** July 22, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

File No. 021257

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021332 MOTION NO. M02-119

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[Appointments, Board of Appeals]

Motion approving the Board of Supervisors President's nomination of Hisashi Sugaya to the Board of Appeals, term to be determined by lot.

MOVED, That the Board of Supervisors hereby approves the President's appointment of Hisashi Sugaya to the Board of Appeals, term to be determined by lot.

Hisashi Sugaya, Seat 2, new position, must be nominated by the President of the Board of Supervisors, term to be determined by lot.

41 Library
100 Larkin Street Govt Information Center

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021332 **Date Passed:** July 22, 2002

Motion approving the Board of Supervisors President's nomination of Hisashi Sugaya to the Board of Appeals, term to be determined by lot.

July 22, 2002 Board of Supervisors — RECEIVED AND ASSIGNED: Board of Supervisors

July 22, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021332

I hereby certify that the foregoing Motion was APPROVED on July 22, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment of the Whole
7/29/02

FILE NO. 021286 MOTION NO. M02-120

[Adopting findings related to the conditional use appeal on property located at 2001 – 37th Avenue (aka Rivera Street).]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.1203C (which approved the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on a St. Ignatius College Preparatory building as part of a wireless telecommunications network operated by Cingular Wireless) for property in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District which is located at 2001 – 37th Avenue (aka 2750 Rivera Street), west side between Ortega and Quintara Streets (Lot 6 in Assessor's Block 2094).

The appellant, Yuri Lapis, filed a timely appeal on June 25, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2002.1203C, approved by Planning Commission Motion No. 16428, dated June 6, 2002) pursuant to Section 209.6(b) of the Planning Code to allow the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on a St. Ignatius College Preparatory School building as part of a wireless telecommunications network operated by Cingular Wireless in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District on property located at 2001 – 37th Avenue (aka 2750 Rivera Street), west side between Ortega and Quintara Streets (Lot 6 in Assessor's Block 2094).

7/29 lw

The public hearing before the Board of Supervisors on said appeal was scheduled for June ~~July~~ 22, 2002. On July 22, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on July 22, the Board approved the decision of

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the Planning Commission (Planning Commission Motion No. 16428), and approved the issuance of the requested Conditional Use Application No. 2001.1203C, subject to the conditions imposed by the Planning Commission.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16428, dated June 6, 2002.

FURTHER MOVED, That the Board of Supervisors took notice that the Department of Planning determined that the proposed Conditional Use Application was categorically exempt from the environmental review process as a Class 1 exemption to Title 14 of the California Administrative Code. The Planning Commission reviewed and concurred with the Department's determination of exemption from environmental review. The Board finds that there have been no substantial project changes, no substantial changes in project circumstances, and no new information of substantial importance that would change the conclusions set forth in the Certificate of Determination of Exemption/Exclusion from environmental review.

FURTHER MOVED, That at its July 22 meeting the Board of Supervisors approved the decision of the Planning Commission, approved the issuance of Conditional Use Application No. 2001.1203C, and approved and imposed the conditions of the Planning Commission in its Motion No. 16428.

FURTHER MOVED, That, on balance, the project, as approved by the Planning Commission and the Board of Supervisors, is consistent with the Objectives and Policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, approved the decision of the Planning Commission by its Motion No. 16428, dated June 6, 2002, and approved the issuance of Conditional Use Application No. 2001.1203C on property located at 2001 – 37th Avenue (aka 2750 Rivera Street), subject to the conditions imposed by Planning Commission Motion No. 16428.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 021286 **Date Passed:** July 29, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2001.1203C (which approved the installation of six antennas mounted within fiberglass screens, and three equipment cabinets installed inside the existing rooftop penthouse on a St. Ignatius College Preparatory building as part of a wireless telecommunications network operated by Cingular Wireless) for property in an RH-1 (Residential, House, One-Family) District and a 40-X Height and Bulk District which is located at 2001 - 37th Avenue (aka 2750 Rivera Street), west side between Ortega and Quintara Streets (Lot 6 in Assessor's Block 2094).

July 24, 2002 Board of Supervisors — REFERRED: Board of Supervisors

July 29, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

July 29, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021286

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on July 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

File No. 021286

FILE NO. 021308 MOTION NO. M02-121

[Directing the Budget Analyst to conduct a management audit of the San Francisco International Airport – Airfield Development Bureau on a priority basis]

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the San Francisco International Airport's Airfield Development Bureau and to perform this management audit as the next priority assignment.

WHEREAS, the San Francisco International Airport (SFO) has spent approximately $70 million on its Airfield Development Bureau, which coordinates the Airport's Runway Modernization Project; and

WHEREAS, in June, 2002, SFO requested that the Board of Supervisors appropriate $11.2 million of additional funds to the Airfield Development Bureau; and

WHEREAS, the Board of Supervisors appropriated $6.2 million of these requested funds and placed $5 million of these funds on reserve, citing media reports and public concerns about questionable spending by SFO's Airfield Development Bureau; and

WHEREAS, SFO leaders report that they anticipate returning to the Board of Supervisors in the future to request appropriation for at least some of the funds currently on reserve; and

WHEREAS, a focused audit of SFO's Airfield Development Bureau will provide the Board of Supervisors necessary information as it considers future appropriations to the Airfield Development Bureau and ensure that current and past spending at the Airfield Development is appropriate; now

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THEREFORE BE IT MOVED, that the Board of Supervisors assigns the Budget Analyst to conduct a management audit of the San Francisco International Airport's Airfield Development Bureau; and, be it

FURTHER MOVED, That the Board of Supervisors hereby amends the Schedule of Management Audits and directs the Budget Analyst to conduct a management audit of the Airfield Development Bureau on a priority basis as the next management audit assignment.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021308 **Date Passed:**

Motion amending the Schedule of Audits for the Budget Analyst and directing the Budget Analyst to conduct a management audit of the San Francisco International Airport's Airfield Development Bureau and to perform this management audit as the next priority assignment.

July 29, 2002 Board of Supervisors — ADOPTED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021308

I hereby certify that the foregoing Motion was ADOPTED on July 29, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021334 MOTION NO. M02-122

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021334 **Date Passed:** August 5, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

August 5, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

File No. 021334

I hereby certify that the foregoing Motion was APPROVED on August 5, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young or Kay Gulbengay
Clerk of the Board

FILE NO. 021349 MOTION NO. M02-123

[Special Offsite Committee meeting.]

Motion setting a special offsite meeting of the Neighborhood Services and Recreation Committee for the purpose of receiving community input concerning items including, but not limited to, toxic waste, the PTIP and other general issues at the Presidio Trust (Thursday, August 22nd, 2002 - 2:00 PM to 6:00 PM, at the Presidio Trust Main Post, Officers Club, 50 Moraga Avenue).

WHEREAS, The Neighborhood Services and Recreation Committee has motioned to have a special meeting offsite on Thursday, August 22nd, 2002; and,

WHEREAS, It is critical to allow those persons who reside on or near the Presidio Trust are allowed the opportunity to provide input; and

WHEREAS, Community meetings provide a convenient, accessible forum to individuals to provide their input; and

WHEREAS, A special offsite committee meeting will be held on Thursday, August 22, 2002 from 2:00 PM to 6:00 PM at the Presidio Trust Main Post, Officers Club, 50 Moraga Avenue; now, therefore, be it

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby order that the aforementioned special offsite Neighborhood Services and Recreation Committee meeting be held in the community.

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City and Coun y of San Francisco

ails

M tion

File Number: 021349 **Date Passed:**

Motion setting a special offsite meeting of the Nei hborhood Services and Recreation Committee for the purpose of receiving community input concern g items including, but not limited to, toxic waste, the PTIP and other general issues at the Presidio rust (Thursday, August 22, 2002 - 2:00 PM, at the Presidio Trust Main Post, Officers Club, 50 Morag Avenue).

August 5, 2002 Board of Supervisors — AD PTED
Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Absent: 1 - Sandoval

File No. 021349

I hereby certify that the foregoing Motion was ADOPTED on August 5, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young by Kay Gulbengay
Clerk of the Board

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FILE NO. 021249 MOTION NO. M02-124

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[Affirm certification of Laguna Honda Hospital Replacement FEIR]

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue.

WHEREAS, The Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7 (the "Project") involves the demolition of portions of the existing hospital and related facilities; retention and renovation of a portion of the existing main hospital building; demolition of existing structures on Clarendon Hill and replacement with new structures at this location; construction of new hospital facilities and buildings that are in compliance with federal, state, and local health care, fire, seismic, and life safety requirements; reconfiguration of existing parking lots and construction of a new parking lot; construction of Americans with Disability Act compliant access; beautification of campus features; and continued provision of long-term health services for more than 1,000 elderly and disabled patients residing at the existing hospital. Overall, the build-out of the Project will include 1,200 hospital beds, a 140-bed assisted living facility, and an expansion of existing outpatient programs and services by approximately 25 percent; and

WHEREAS, The San Francisco Public Health Commission and Department of Public Health (collectively "the project sponsor") submitted an application for environmental review of the Project to the Planning Department for the City and County of San Francisco (the "Department") (Department File No. 2000.005E); and

WHEREAS, The Department determined that an Environmental Impact Report ("EIR") was required, and provided public notice of that determination by publication in a newspaper of general circulation on February 3, 2001; and

WHEREAS, On December 1, 2001, the Department published the Draft Environmental Impact Report ("DEIR") for the Project; and

WHEREAS, On January 10, 2002, the City Planning Commission ("Commission") held a duly noticed public hearing on the DEIR, at which time opportunity for public comment was received on the DEIR, and written comments were received through January 16, 2002; and

WHEREAS, The Department prepared responses to comments received at the public hearing on the DEIR and submitted in writing to the Department, prepared revisions to the text of the DEIR and published a Draft Summary of Comments and Responses on June 17, 2002; and

WHEREAS, A Final Environmental Impact Report ("FEIR") for the Project was prepared by the Department, consisting of the DEIR, any consultations and comments received during the review process, any additional information that became available and the Draft Summary of Comments and Responses, and an errata thereto, all as required by law; and

WHEREAS, On June 27, 2002, the Commission reviewed and considered the FEIR and, by Motion No. 16452, found that the contents of said report and the procedures through which the FEIR was prepared, publicized, and reviewed complied with the provisions of the California Environmental Quality Act ("CEQA"), the State CEQA Guidelines, and Chapter 31 of the San Francisco Administrative Code; and

WHEREAS, By Motion No. 16452, the Commission found that the FEIR was adequate, accurate and objective and reflected the independent judgment and analysis of the Department and the Commission, determined that the Summary of Comments and

Responses contained no significant revisions to the DEIR, adopted findings relating to significant impacts associated with the Project, and certified the completion of the FEIR in compliance with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31; and

WHEREAS, By letter to the Clerk of the Board of Supervisors dated July 16, 2002, Barbara Goode, Ed Cavagnaro, Gladys Bloedow, Duane Bloedow, Paula Groshong, Anne Poirier, and Timothy Poirier (collectively "appellants") filed a timely appeal of the FEIR certification to the Board of Supervisors pursuant to Administrative Code Section 31.16(a); and

WHEREAS, The FEIR files and all correspondence and other documents have been made available for review by the Board of Supervisors, the Commission and the public; and

WHEREAS, The abovementioned materials are available for public review by appointment at the Department offices at 1660 Mission Street, and are part of the record before the Board of Supervisors; and

WHEREAS, This Board has reviewed and considered the FEIR and heard testimony and received public comment regarding the adequacy of the FEIR; now, therefore, be it

MOVED, That this Board of Supervisors hereby affirms the decision of the Commission in its Motion No. 16452 to certify the FEIR and finds that the FEIR is complete, adequate, and objective, reflects the independent judgment of the City, and complies with CEQA, the State CEQA Guidelines, and Administrative Code Chapter 31.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021249 **Date Passed:** August 12, 2002

Motion affirming the certification by the Planning Commission of the Final Environmental Impact Report for the Laguna Honda Hospital Replacement Project at Assessor's Block 2842, Lot 7, generally bounded by Laguna Honda Boulevard, Clarendon Avenue, and Woodside Avenue.

August 12, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

File No. 021249

I hereby certify that the foregoing Motion was APPROVED on August 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young by Kay Gulbengay
Clerk of the Board

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FILE NO. 021325 MOTION NO. M02-125

[Final Map for a 30 Unit Live/Work Condominium Project]

Motion approving Final Map of 1310 Minnesota Street, a Live/Work Condominium Project, being a subdivision of Lot 79, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1310 Minnesota Street, a Live/Work Condominium Project", being a subdivision of Lot 79, Portion of Assessor's Block No. 4228, comprising 6 sheets, approved the 7th day of August, 2002 by Department of Public Works Order No. 173,664, be and the same is hereby approved and adopted as the Official Map of 1310 Minnesota Street, A Live Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated October 27, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021325 **Date Passed:** August 12, 2002

Motion approving Final Map of 1310 Minnesota Street, a Live/Work Condominium Project, being a subdivision of Lot 79, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1.

August 12, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021325

I hereby certify that the foregoing Motion was APPROVED on August 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young by Kay Gallegos
Clerk of the Board

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FILE NO. 021399 MOTION NO. M02-126

[Final Map for a 48 Unit Live/Work Condominium Project]

Motion approving Final Map of 1325 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 78, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1325 Indiana Street, a Live/Work Condominium Project", being a subdivision of Lot 78, Portion of Assessor's Block No. 4228, comprising 9 sheets, approved the 7th day of August, 2002 by Department of Public Works Order No. 173,665, be and the same is hereby approved and adopted as the Official Map of 1325 Indiana Street, A Live Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated October 27, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 021399 **Date Passed:** August 12, 2002

Motion approving Final Map of 1325 Indiana Street, a Live/Work Condominium Project, being a subdivision of Lot 78, Assessor's Block No. 4228, and adopting finding pursuant to City Planning Code Section 101.1.

August 12, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021399

I hereby certify that the foregoing Motion was APPROVED on August 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young by Kay Gallagher
Clerk of the Board

FILE NO. 021400 MOTION NO. M02-127

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Final Map for a 134 Unit Residential Condominium Project]

Motion approving Final Map of Fulton Masonic (1750 Fulton Street), a Residential Condominium Project, being a subdivision of Lot 10 in Assessor's Block No. 1175, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of Fulton Masonic, a Residential Condominium Project", being a subdivision of Lot 10, Portion of Assessor's Block No. 1175, comprising 12 sheets, approved the 24th day of July, 2002 by Department of Public Works Order No. 173,652, be and the same is hereby approved and adopted as the Official Map of Fulton Masonic, A Residential Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated August 13, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021400 **Date Passed:** August 12, 2002

Motion approving Final Map of Fulton Masonic (1750 Fulton Street), a Residential Condominium Project, being a subdivision of Lot 10 in Assessor's Block No. 1175, and adopting findings pursuant to City Planning Code Section 101.1.

August 12, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021400

I hereby certify that the foregoing Motion was APPROVED on August 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young by Kay Gullenger
Clerk of the Board

FILE NO. 021401 MOTION NO. M02-128

[Final Map for a 7 Unit Mixed Use Condominium Project]

Motion approving Final Map of 181 South Park, a Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 3775, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 181 South Park, a Mixed Use Condominium Project", being a subdivision of Lot 26, Portion of Assessor's Block No. 3775, comprising 8 sheets, approved the 7th day of August, 2002 by Department of Public Works Order No. 173,666, be and the same is hereby approved and adopted as the Official Map of "181 South Park, A Mixed Use Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 9, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021401 **Date Passed:** August 12, 2002

Motion approving Final Map of 181 South Park, a Mixed Use Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 3775, and adopting findings pursuant to City Planning Code Section 101.1.

August 12, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021401

I hereby certify that the foregoing Motion was APPROVED on August 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young by Kay Gulbengay
Clerk of the Board

FILE NO. 021326 MOTION NO. M02-129

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding the Entertainment Commission.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition F, a charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission. , (File 020805); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

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Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT X **FOR** or __ **AGAINST** PROPOSITION F FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I*, or *BI*	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	VOTE YES ON F TO ENSURE FAIR AND EFFECTIVE MANAGEMENT	10
	OF SAN FRANCISCO'S NEW ENTERTAINMENT COMMISSION.	5
	Recently the Board of Supervisors and the Mayor approved legislation	10
	creating a new entertainment commission. This commission will be charged	10
	with planning, regulating and promoting effective polices for nightlife and	10
	entertainment in San Francisco.	3
	It is important that this commission be a balanced and accountable body	12
	representing neighborhoods, health advocates, law enforcement, urban planners	8
	and the entertainment industry, in order to ensure reasonable and inclusive	11
	policies that respond to important community concerns. Proposition F gives	10
	citizens, neighborhoods and entertainment communities direct involvement in	8
	the decision making that will shape the future of entertainment and culture in	13
	San Francisco.	1
	Proposition F will make the appointment process for members of the	11
	Entertainment Commission open and accountable with checks and balances. It	10
	gives the Mayor four appointments representing entertainment, neighborhood,	8
	law enforcement and urban planning perspectives. It will also allow the Board of	13
	Supervisors to appoint three representatives from entertainment, neighborhood	8
	and health advocacy perspectives. All seats will be subject to public	11
	confirmation at the Board of Supervisors to ensure that individuals appointed to	12
	the commission are qualified representatives of their communities. The	9
	commissioners could only be dismissed for misconduct and thereby are	10
	protected from undue political influences. The welfare of the city will be their	13
	first priority.	2
	San Francisco has an exciting opportunity to promote better policies for local	11
	culture, art and entertainment with this commission. Please join Supervisors	10

attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

	Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin and Sandoval	9
	in supporting Prop F to make sure that the new system works effectively.	13
	[continue text on next page) **Total # of Words =**	261

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

1. Tom Ammiano Printed Name	T Ammiano 8/15/02 Signature and Date
Supervisor Title to Appear on Argument	162 Bargent S.F. 94110 Address
2. Chris Daly Printed Name	8-19-02 Signature and Date
Supervisor Title to Appear on Argument	1346 Stevenson St B301 S.F. 94103 Address
3. Matt Gonzalez Printed Name	Matt 8-19-02 Signature and Date
Supervisor Title to Appear on Argument	825 Hayes St S.F. 94117 Address
4. Mark Leno Printed Name	Mark Leno 8.19.02 Signature and Date
Supervisor Title to Appear on Argument	590 Clipper S.F. 94114 Address
5. Jake McGoldrick Printed Name	Jake McGoldrick 8/19/02 Signature and Date
Supervisor Title to Appear on Argument	240 14th AVE S.F. 94118 Address
6. Gavin Newsom Printed Name	8/17/02 Signature and Date
Supervisor Title to Appear on Argument	2870 Pacific S.F. 94115 Address
7. Aaron Peskin Printed Name	Aaron Peskin 8-19-02 Signature and Date
Supervisor Title to Appear on Argument	522 Filbert S.F. 94133 Address
8. Gerardo Sandoval Printed Name	8-19-02 Signature and Date
Supervisor Title to Appear on Argument	4534 Mission ST, #15 S.F. 94112 Address

ALL PAID ARGUMENTS MUST PROVIDE THE FOLLOWING INFORMATION, WHICH WILL BE PUBLISHED IN THE VOTER INFORMATION PAMPHLET.

The true source of funds used for the printing fee of this argument is:

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021326 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition F, a Charter Amendment regarding Entertainment Commission.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, McGoldrick, Newsom, Peskin, Sandoval
Noes: 3 - Hall, Maxwell, Yee

File No. 021326

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021328 **MOTION NO. M02-130**

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition C, a Bond Measure regarding Veterans Building Special Election.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition C, an Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars ($122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative Code Section 2A.53;

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consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code. , (File 021170); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT X FOR or __ AGAINST PROPOSITION C FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002, HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I*, or ***BI***	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	The War Memorial Veterans Building, damaged in the 1989 earthquake, may	11
B	not survive another strong earthquake. **To protect the hundreds of thousands**	11
B	**of people who gather there every year, and to safeguard this historic**	12
B	**treasure, we must act now to pass Proposition C.**	9
	The Veterans Building, built in 1932 as a memorial to San Francisco veterans,	12
	does not meet current health, safety and building codes or earthquake safety and	13
	disability access standards. Many of its building systems, including fire, safety	11
	and electrical, are in vital need of repair.	8
	The Veterans Building is a City and national landmark. It was in the Veterans	14
	Building that the United Nations Charter was signed in 1945, and where the	13
	Japanese Peace Treaty was finalized in 1951. The building houses the Herbst	12
	Theatre and Green Room, in which over 435 cultural and entertainment	11
	programs take place each year attended by over 300,000 people. The building	12
	also provides office and meeting room space for veterans' organizations.	10
	Proposition C will upgrade the building's infrastructure and systems so it can	12
	withstand a major earthquake and meet current health, safety and building	11
	codes. The proposition also provides for much-needed improvements to	10
	veterans' spaces and to facilities for arts, cultural and community programs.	11
B	**Proposition C is a cost-conscious way to protect the public and safeguard**	13
B	**an irreplaceable public building.** The City's War Memorial Department has	10

attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

	set aside $12 million for this project, lowering the cost to taxpayers. The	13
	proposition further provides that available revenues from the War Memorial	10
	Department up to $3 million per year will be used to reduce taxpayers' burden	14
	of repaying the bonds.	4
	JOIN SUPERVISORS AMMIANO, DALY, GONZALEZ, LENO,	6
B	**MAXWELL, MCGOLDRICK, NEWSOM, SANDOVAL AND YEE IN**	7
B	**VOTING YES ON PROPOSITION C.**	5
	[continue text on next page) **Total # of Words =**	285

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

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240 4th Ave. S.F. 94118
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Declaration by Authors of Arguments and / or Rebuttals

7. Gavin Newsom Printed Name	8/19/02 Signature and Date
Supervisor Title to Appear on Argument	2870 Pacific S.F. 94115 Address
8. Gerardo Sandoval Printed Name	Gerardo Sandoval 8-19-02 Signature and Date
Supervisor Title to Appear on Argument	4534 Mission St., #15 S.F. 94112 Address
9. Leland Yee Printed Name	8/19/02 Signature and Date
Supervisor Title to Appear on Argument	1370 24th S.F. 94122 Address

ALL PAID ARGUMENTS MUST PROVIDE THE FOLLOWING INFORMATION, WHICH WILL BE PUBLISHED IN THE VOTER INFORMATION PAMPHLET.

The true source of funds used for the printing fee of this argument is:

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021328 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition C, Bond Measure regarding Veterans Building Special Election.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

File No. 021328

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021330

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MOTION NO. M02-131

[Ballot Argument]

Motion authorizing ballot argument against Proposition R, an Initiative Ordinance regarding changes to the City's Condominium Conversion Regulations.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument against Proposition R, an initiative ordinance to amend the City's Condominium Conversion Regulations; and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT __ **FOR** or X **AGAINST** PROPOSITION R FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO.

Style Notes B,*I*, *or BI*		# of words in each line
B	**PROPOSITION R IS FAR TOO RISKY** - thousands of renters could be	11
	evicted, see rent control repealed, and see rents skyrocket. Thousands of San	12
	Franciscans - seniors, working families, teachers, immigrants and those without	8
	the financial resources to purchase a condominium - could be forced to leave.	12
	• This drastic condo-conversion law makes it much worse by reducing the	12
	availability of apartments and increasing rents. In the next 25 years 85,000	12
	apartments could be converted to condominiums - that's 40% of the City's	11
B	rental stock - **apartments will be in short supply and rents will rise.**	12
B	• This risky measure is **unfair and undemocratic** and allows only 25% to	12
	decide if a building will be converted to condominiums - even if the	12
	remaining 75% oppose it!	4
	• Renters risk massive rent increases or even eviction because under state law	12
B	the promised tenant **"protections" are unenforceable and condominiums**	8
B	**are easily exempted from rent control.**	6
	• When San Francisco tried this approach before in the 80's, 89% of tenants	12
	could not afford to buy their apartments. Mayor Feinstein's study of the	12
	issue concluded it was a bad idea.	7
B	• **Even large apartment buildings risk being converted to condominiums.**	9
	Currently, tenants in large buildings are safe from condo conversions.	10
	• Currently, buildings converted to condominiums must be upgraded to meet	10

attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

B	**current seismic safety standards. Buildings converted under the proposal,**	9
B	**however, will be exempt from this requirement to meet current seismic**	11
B	**standards** - it's too risky.	4
	• Buildings converted to condominiums under this proposal will also be	10
B	**exempt from review by the Planning Commission and The City's**	10
B	**affordable housing requirements.**	3
I	*Join Supervisors Ammiano, Peskin, Gonzalez, McGoldrick, Daly and Senior*	9
I	*Action Network, St. Peter's Housing Committee, San Francisco Tenants Union,*	9
I	*Housing Rights Committee, Eviction Defense Collaborative, Tenderloin*	7
I	*Housing Clinic, Affordable Housing Alliance* in voting NO to save rent control	12
	and stop risky and dangerous mass condo-conversions.	8
	[continue text on next page) Total # of Words =	296

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

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3. Matt Gonzalez — Printed Name
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ALL PAID ARGUMENTS MUST PROVIDE THE FOLLOWING INFORMATION, WHICH WILL BE PUBLISHED IN THE VOTER INFORMATION PAMPHLET.

The true source of funds used for the printing fee of this argument is:

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021330 **Date Passed:** August 19, 2002

Motion authorizing ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 6 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin, Sandoval
Noes: 5 - Hall, Leno, Maxwell, Newsom, Yee

File No. 021330

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021382 **MOTION NO. M02-132**

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[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding Changes to Public Utilities related to Water and Sewer.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition E, a Charter Amendment (Fifth Draft) to create a new Article VIIIB to add Sections 8B.120 through 8B.127, deleting Section 9.111-1 and amending Section 16.103, to establish exclusive control of utilities; rate setting standards and methods; planning and reporting requirements; transfer of surplus funds between utilities; independence in contracting; revenue bonds or other financing methods. , (File 020887); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) of this BALLOT ARGUMENT X FOR or __ AGAINST PROPOSITION E FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I*, or ***BI***	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	San Francisco's Public Utilities Commission operates some of the most vital	10
	City infrastructure we possess: our water system stretches to Hetch Hetchy and	12
	serves over 2 million Bay Area water users and our wastewater treatment system	13
	serves all of San Francisco.	4
	Seismologists predict that major earthquakes along several fault lines could	10
	damage both systems. We must upgrade and reinforce these systems to ensure	12
	water and sewer service in the event of an earthquake.	10
	Proposition E resulted from months of public discussions that included	10
	Supervisor Ammiano, the Mayor's Office, the City's leading financial experts,	10
	PUC staff, environmentalists, business leaders and neighborhood groups.	8
	Analysis by Budget Analyst Harvey Rose and Director of Public Finance	11
B	Monique Moyer indicates that **the PUC's Clean Water Enterprise is facing a**	12
B	**serious financial crisis.** Bond rating agencies who rate PUC finances have	11
	downgraded the Agency's debt and appear headed for further downgrades –	10
	resulting in tens of millions in additional costs for the PUC's repair program.	13
	Proposition E reforms include:	4
	• Voter approval before utility assets owned by the PUC are sold;	11
	• A public and fair process to establish cost-of-service rates, including a new	14
	Rate Fairness Board to protect consumers;	6
	• Long-term capital and financial plans for PUC operations;	9
	• Use of surplus utility funds for other PUC purposes rather than for the	12

Page ____ of ____ attach additional pages as needed

	General Fund;	2
	• Board of Supervisors issuance of revenue bonds, by a 2/3 vote (subject to	13
	referendum and a subsequent vote of the people), for water and sewer	12
	improvements and to seek low-interest state loans.	8
B	**Proposition E will avoid millions in unnecessary costs by ensuring that**	11
B	**PUC financing practices are in line with virtually every other public utility**	12
B	**in California.**	2
	Please join Supervisors Ammiano, Daly, Leno, Maxwell, McGoldrick, Peskin	9
	and Sandoval, the League of Women Voters, environmentalists and business	10
	leaders in voting yes on Proposition E.	7
	Total # of Words =	298

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

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SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

7. Gerardo Sandoval
Printed Name

8-19-02
Signature and Date

Supervisor
Title to Appear on Argument

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ALL PAID ARGUMENTS MUST PROVIDE THE FOLLOWING INFORMATION, WHICH WILL BE PUBLISHED IN THE VOTER INFORMATION PAMPHLET.

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Motion

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021382 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition E, a Charter Amendment regarding changes to public utilities related to water and sewer.

August 19, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 19, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

File No. 021382

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021384 **MOTION NO. M02-133**

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding Retirement Benefits for Police and Fire Personnel.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition H, a charter amendment (First Draft) to add Sections A8.595 through A8.595-14, A8.596 through A8.596-14, A8.597 through A8.597-15, and A8.598 through A8.598-15 thereto, relating to retirement benefits for police officers and firefighters, and by amending Sections A8.500-1 and A8.500-2 to conform to the new retirement plans. , (File 020803); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) of this BALLOT ARGUMENT **X FOR** or __ **AGAINST** PROPOSITION H FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes **B**, *I*, or ***BI***	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	To protect San Francisco we must make sure that our very best firefighters,	12
	police officers and paramedics can stay right here at home.	10
	That's why we support Proposition H to help recruit and retain the most	13
	qualified public safety personnel.	4
	The men and women of our public safety services risk their lives to protect us.	15
	That's why we need to protect them with common-sense measures like	12
	Proposition H. Right now, San Francisco offers some of the lowest retirement	11
	benefits in the state to firefighters, police officers and paramedics. As a result,	13
	the men and women who protect our families face intense pressure to take	13
	employment elsewhere – so they can protect their own families.	9
	Proposition H is a way to address this problem.	9
	Because of a multi-billion dollar surplus in our pension fund, there will be no	15
	cost to taxpayers for at least ten years, and probably much longer. As an added	15
	financial protection, Proposition H requires that if the retirement surplus is ever	12
	exhausted, the public safety officers would be required to enter into negotiations	12
	with the city to pay for the added benefit themselves.	10
	This is a fiscally sound and fair plan that will protect our city. It makes sure we	17
	have the best trained personnel at work. Proposition H helps bring our public	13
	safety officers up to the state-wide average of retirement benefits. It will make a	15
	difference in the safety of our city.	7
	Please join Senator Feinstein, Congresswoman Pelosi, and Supervisors	8

Page ____ of ____ attach additional pages as needed

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

	Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newson, Peskin, Sandoval	9
	and Yee in voting YES on Proposition H.	8
	Keep our very best hard at work protecting us. Vote Yes on Proposition H!	14
	Total # of Words =	276

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

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6. Jake McGoldrick
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7. Gavin Newsom
Printed Name
8/19/02
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8. Aaron Peskin
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Page ____ of ____ attach additional pages as needed

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

9. Gerardo Sandoval Printed Name	8-19-02 Signature and Date
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10 Leland Yee Printed Name	8/19/02 Signature and Date
Supervisor Title to Appear on Argument	1370 - 24th Ave S.F. 94122 Address

Page ____ of ____ attach additional pages as needed

City and County of San Francisco

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021384 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition H, a Charter Amendment regarding retirement benefits for Police and Fire personnel.

August 19, 2002	Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
August 19, 2002	Board of Supervisors — APPROVED AS AMENDED Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021384

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021386 MOTION NO. M02-134

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[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding Assistance to the Elections Department.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition G, a charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney. , (File 020888); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) of this BALLOT ARGUMENT X FOR or __ AGAINST PROPOSITION G FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B, *I*, or *BI*	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	Last November San Francisco voters approved reforms to help guarantee honest	10
	and fair elections in San Francisco. Proposition G improves these reforms by	11
	clarifying the role of the Sheriff and other City employees in elections.	12
	Proposition G clarifies that the Sheriff must provide security for elections by	12
	transporting ballots from the polls and by approving a security plan before each	13
	election. In addition, Proposition G clarifies that the Department of Elections	11
	may use other City employees for tasks unrelated to an election - such as payroll	14
	and purchasing. These changes will allow the City to reduce the cost of running	14
	an election without cutting back on the protections that were put in place to help	15
	guarantee honest and fair elections in San Francisco.	7
	Proposition G also refines the conflict of interest restrictions placed on	11
	members and staff of the Ethics and Elections Commissions without	10
	jeopardizing the integrity of San Francisco's elections. Current restrictions	8
	prohibit a part-time judge or a professor at a state university from serving on the	16
	Ethics or Elections Commission. This was not the intent of the previous	12
	reforms. Accordingly, Proposition G changes these restrictions in a manner	10
	that continues to provide strong conflict of interest restrictions without	10
	permitting such unintended consequences.	4
	Most importantly, Proposition G will save money spent on elections by	11
	authorizing the Board of Supervisors to grant waivers allowing City employees	11
	to work on election day and afterwards. Last year, the Department of Elections	13
	overspent it's budget by more than $5 million; this could have been partially	13
	avoided by allowing City employees to assist with elections.	9
	Proposition G continues the City's efforts to provide cost-efficient, honest and	12
	fair elections and deserves your support. Please join Supervisors Ammiano,	10

Page ____ of ____ attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

	Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval	9
	and Yee in voting yes on Proposition G!	8
	Total # of Words =	296

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

1. Tom Ammiano
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Page ____ of ____

attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

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Supervisor Title to Appear on Argument	1370 24th S.F. 94122 Address

ALL PAID ARGUMENTS MUST PROVIDE THE FOLLOWING INFORMATION, WHICH WILL BE PUBLISHED IN THE VOTER INFORMATION PAMPHLET.

The true source of funds used for the printing fee of this argument is:

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021386 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition G, a Charter Amendment regarding assistance to the Elections Department.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021386

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021388 MOTION NO. M02-135

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[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition A, a Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed $1,628,000,000 to finance the acquisition and construction of improvements to the City's water system; making issuance of the bonds subject to the requirement that San Francisco Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) be amended to provide that (1) 50% of the costs resulting from increased water rates may be passed through from landlords to residential tenants where a unit is in compliance with any applicable laws requiring water conservation devices, and (2) tenants may file hardship applications with the Rent Board for relief from all or part of the cost passthrough and their affected landlords may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenants' hardship status; and for the possible imposition of a surcharge on retail water customers; and consolidating said special election with the General Municipal Election to be held on November 5, 2002; complying with Section 53410 of the California Government Code; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. , (File 020910); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) of this BALLOT ARGUMENT X FOR or __ AGAINST PROPOSITION A FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B, *I*, or ***BI***	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	Should a major earthquake strike San Francisco's Hetch Hetchy water system	10
	must be ready.	3
	If a serious quake were to occur today, there is a high probability that water	15
	delivery to San Francisco could be interrupted for more than two months. This	12
	would threaten our ability to fight fires after an earthquake and lead to an	14
	economic disaster as we attempted to recover without a stable water supply.	12
	When San Franciscans came together in common purpose to build Hetch Hetchy	12
	nearly 100 years ago, we showed we were a city that knew how to do things	16
	right. Now, it is time for our generation to show that we know how to safeguard	16
	this civic treasure.	3
	After years of study and rigorous review, the city is going forward with	13
	Proposition A to seismically-strengthen and repair the deteriorated system.	10
	Hetch Hetchy brings more than vital water; it provides tremendous financial	11
	benefits to the people of San Francisco. Because of our ownership of the system,	13
	San Francisco will pay for just 30 percent of the cost of regional repairs. Our	14
	suburban customers will pay the rest - $2 billion. And our water rates will be	14
	competitive with neighboring counties in the Bay Area. Hetch Hetchy also	11
	provides San Francisco free water and power for critical city needs such as the	13
	Municipal Railway, Public Schools, San Francisco General Hospital and other	9
	city facilities.	2
	Now is the time to safeguard this civic treasure. The system crosses three major	14
	earthquake faults and is vulnerable.	5
	A city cannot live without water. That's why Mayor Brown, Board President	12
	Tom Ammiano and Supervisors, Peskin, Maxwell, Daly, Leno and	9

Page ____ of ____ attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

	McGoldrick have joined with the Chamber of Commerce, environmental	9
	activists and leaders from throughout San Francisco	6
	to support Proposition A.	4
	Please Vote YES on Proposition A.	6
	Total # of Words =	288

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

1. Tom Ammiano
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City and County of San Francisco

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021388 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition A, a Bond Measure regarding a Revenue Bond Election.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

File No. 021388

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021390 MOTION NO. M02-136

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[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding Paid Parental Leave.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition I, a charter amendment (Second Draft) to amend the charter regarding compensation during parental leave. , (File 020885); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Supervisors Daly, Gonzalez, Sandoval, Maxwell

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT _X_ FOR or __ AGAINST PROPOSITION I FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I*, *or* BI	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
B	VOTE YES ON I TO STRENGTHEN ECONOMIC SECURITY	8
B	FOR SAN FRANCISCO'S FAMILIES	3
	San Francisco is the only major American city with fewer children today than	12
	ten years ago. The high cost of living, long waiting lists for childcare and a	15
	shortage of family friendly housing contribute to this alarming trend. We need	12
	to make San Francisco a more family-friendly city.	8
	The City's current policies on leave for parents need improvement. Currently,	11
	City workers who have families are faced with taking time off without pay	13
	during the extremely important time when a child first joins the family. This	13
	measure closes that gap and will help the City recruit and retain employees who	14
	value families as well as public service. The measure embraces all of San	12
	Francisco's diverse families, including foster families and families that choose	10
	adoption.	1
	By adopting such measures as equal benefits for domestic partners, subsidized	11
	childcare slots, the Convention to End Discrimination Against Women, and the	11
	Equal Access to Services law, San Francisco has been a leader in setting public	13
	policies that promote equality, help working families, and set a positive example	12
	for the public and private sectors. Let's lead the nation once again with this	14
	landmark measure!	2
B		
	PROPOSITION I IS FISCALLY RESPONSIBLE	5
	Proposition I is fiscally responsible because it requires that employees use any	12
	existing paid leave before becoming eligible for the program. The measure puts	12
	cost controls in the San Francisco Charter and ensures that no employee may	12

attach additional pages as needed

	earn more than her or his base wage.	8
	Please join Supervisors Ammiano, Daly, Gonzalez, Leno, Maxwell,	8
	McGoldrick, Newsom, Peskin, Sandoval, Yee and the San Francisco chapter of	10
	the National Organization for Women and Parent Voices in support of families	12
	in San Francisco. Vote Yes on I!	6
	[continue text on next page) Total # of Words =	280

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

1. Tom Ammiano — Printed Name
Ammiano 8/19/02 — Signature and Date
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Supervisor — Title to Appear on Argument
825 Hayes St S.F. 94117 — Address

4. Mark Leno — Printed Name
Mark Leno 8.19.02 — Signature and Date
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6. Jake McGoldrick — Printed Name
Jake McGoldrick 8/19/02 — Signature and Date
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attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

9. Gerardo Sandoval — 8-19-02
Printed Name — Signature and Date

Supervisor — 4534 Mission St., #15 S.F. 941
Title to Appear on Argument — Address

10. Leland Yee — 8/19/02
Printed Name — Signature and Date

Supervisor — 1370 24th Ave S.F. 94122
Title to Appear on Argument — Address

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The true source of funds used for the printing fee of this argument is:

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City and County of San Francisco

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021390 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition I, a Charter Amendment regarding paid parental leave.

August 19, 2002 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 19, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

File No. 021390

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Gloria L. Young
Clerk of the Board

File No. 021390

FILE NO. 021392 **MOTION NO. M02-137**

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[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors Salaries set by the Civil Service Commission.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition J, a charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI)., (File 020884); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Supervisors Gonzalez, Leno

Declaration by Authors of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT _X_ FOR or __ AGAINST PROPOSITION J FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I, or BI*	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
B	**Vote Yes On Proposition J.**	5
B	**Proposition J will designate the job of membership to the San Francisco**	11
B	**Board of Supervisors as full-time.**	6
	Historically, membership to the San Francisco Board of Supervisors has been	10
	considered a part-time job. Members are currently paid a salary of $37,585 as	14
	specified in the San Francisco City Charter.	6
	It is widely acknowledged that supervisors work more than 40 hours a week on	14
	city business (including evaluating the city's $5 billion budget), yet must	11
	supplement their income with private enterprises.	6
	In fact, legislative aides to the Supervisors as well as the clerks that staff	14
	meetings are paid more than the Supervisors.	7
B	**Proposition J will require the Civil Service Commission to set the salaries**	12
B	**for members of the Board of Supervisors every five years.**	10
	The Civil Service Commission currently sets the salaries for the Mayor, District	12
	Attorney, Treasurer and other elected officials.	6
	In setting the salaries for members of the Board of Supervisors, the Civil Service	14
	Commission will consider the salaries of other comparable California Boards of	11
	Supervisors and City Councils. The Commission may also consider changes to	11

attach additional pages as needed

Declaration by Authors of Arguments and / or Rebuttals

	the Consumer Price Index.	4
B	**Proposition J will expand the pool of candidates for Supervisor.**	10
I	As pointed out in an editorial by the *San Francisco Chronicle*, Proposition J	12
I	*"..... will make elective office more attractive to a wider range of able and*	13
I	*dedicated citizens who now avoid public service simply because they can't*	11
I	*afford it."*	2
B	**Join Supervisors Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell,**	8
B	**McGoldrick, Peskin, Sandoval in voting Yes on Proposition J.**	9
	[continue text on next page) **Total # of Words =**	249

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

1. Tom Ammiano — Printed Name
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3. Matt Gonzalez — Printed Name
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4. Tony Hall — Printed Name
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Declaration by Authors of Arguments and / or Rebuttals

6. Sophie Maxwell
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8. Aaron Peskin
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9. Gerardo Sandoval
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10.
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The true source of funds used for the printing fee of this argument is:

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021392 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

File No. 021392

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L.

Gloria L. Young
Clerk of the Board

FILE NO. 021394

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MOTION NO. M02-138

[Ballot Argument]

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding Energy Self-Sufficiency.

MOVED, That pursuant to Section 540 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a ballot argument in favor of Proposition D, a Charter amendment (Second Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services. , (File 021253); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Authors of Arguments and / or Rebuttals

*THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT _X_ FOR or __ AGAINST PROPOSITION _D_ FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I, or BI*	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	Proposition D will allow San Francisco to control its energy future, and to	12
	implement an energy plan to:	5
B	**CLOSE POLLUTING POWER PLANTS**	4
B	**ENSURE AFFORDABLE ELECTRICITY**	3
B	**PROVIDE CLEAN, RENEWABLE, AND RELIABLE ENERGY**	6
	The current energy market is broken.	6
	Financially troubled companies such as PG&E, Enron, and Mirant are unable to	12
	provide reliable, affordable, or clean energy to consumers. Electricity rates for	11
	businesses increased 40% last year. In San Francisco, we risk blackouts because	11
	of our reliance on old, inefficient power plants. These power plants are among	13
	the dirtiest in California, contributing to health and environmental problems.	10
	By passing Proposition D, San Francisco will join over 2,000 American cities	11
	that have chosen public control of their energy resources – and cheaper, cleaner,	12
	more reliable energy.	3
	Proposition D requires reasonable rates – and establishes a Rate Fairness Board	11
	to provide for just rates. It mandates closing the polluting Hunters Point Plant,	13
	and establishing renewable energy resources to meet 25% of San Francisco's	10
	energy by 2010. It creates public control of our energy policies.	11
	Proposition D reforms the Public Utilities Commission by creating a new body	12
	with members appointed by the Mayor, Board of Supervisors, and the	11

attach additional pages as needed

	Controller. Included in these appointments must be commissioners with	9
	backgrounds in utility management, consumer advocacy, and environmental	8
	justice.	1
	Through Proposition D, the City can develop generation projects to shut down	12
	polluting power plants and enter into contracts for energy services that serve the	13
	public interest. The City will also have the ability to acquire local transmission	13
	facilities, but only after completing a cost-benefit analysis and Controller	11
	certification that our rates will not increase.	7
B	**We need control of our energy resources: affordable electricity rates, clean**	11
B	**energy and the closure of polluting power plants. Join Supervisors**	10
B	**Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin and**	8
	Sandoval in voting Yes on Proposition D.	7
	[continue text on next page) **Total # of Words =**	297

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

1. Tom Ammiano
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3. Matt Gonzalez
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5. Sophie Maxwell Printed Name	Sophenia maxwell 8/19/02 Signature and Date
Supervisor Title to Appear on Argument	1568 Jerrold ave. S.F. 94124 Address
6. Jake McGoldrick Printed Name	Jake McGoldrick 8/19/02 Signature and Date
Supervisor Title to Appear on Argument	240 4th AVE. S.F. 94118 Address
7. Aaron Peskin Printed Name	8-19-02 Signature and Date
Supervisor Title to Appear on Argument	522 Filbert St. S.F. 94133 Address
8. Gerardo Sandoval Printed Name	8-19-02 Signature and Date
Supervisor Title to Appear on Argument	4534 Mission St, #15 S.F. 94112 Address

attach additional pages as needed

Tails

Motion

File Number: 021394 **Date Passed:** August 19, 2002

Motion authorizing proponent's ballot argument in favor of Proposition D, a Charter Amendment regarding energy self-sufficiency.

August 19, 2002 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 19, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

File No. 021394

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L.

Gloria L. Young
Clerk of the Board

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FILE NO. 021414

MOTION NO. M02-139

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021414 **Date Passed:** August 19, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Hall, McGoldrick, Newsom, Yee

File No. 021414

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO.021278 MOTION NO. M02-140

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[Zoning Appeal]

Motion disapproving decision of the Planning Commission by its Motion No. 16440 disapproving Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No. 16440 dated June 20, 2002 disapproving Conditional Use Application No. 2002.0015C to demolish a residential unit at the second story pursuant to Planning Code Section 712.39 and to construct a four-story mixed use building with 3 residential units and a ground floor commercial space in an NC-3 (Moderate Scale Neighborhood Commercial) District and a 40-X Height and Bulk District on property located at:

1005-1007 Geneva Street, north side of Geneva Avenue, between Paris and Lisbon Streets; Lot 013, in Assessor's Block 6408,

be and the same is disapproved.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021278 **Date Passed:** August 19, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 2002.0015C, disapproving Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, and adopting findings pursuant to Planning Code Section 101.1.

August 19, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

File No. 021278

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021279 MOTION NO. M02-141

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[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0015C, on property located at 1005-1007 Geneva Avenue, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2002.0015C on property located at 1005-1007 Geneva Avenue, for action by the Board at its next meeting.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Mot:on

File Number: 021279 **Date Passed:** August 19, 2002

Motion directing the Clerk of the Board to prepare fir ngs relating to proposed Conditional Use Application No. 2002.0015C, on property located at 05-1007 Geneva Avenue, for action by the Board at its next meeting.

August 19, 2002 Board of Supervisors — APPR /ED

Ayes: 10 - Ammiano, Daly, Gc alez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

File No. 021279

I hereby certify that the foregoing Motion was APPROVED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021447 MOTION NO. M02-142

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[Suspending the Rules of Order.]

Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.

MOVED, That the Board of Supervisors of the City and County of San Francisco hereby suspends, pursuant to Rule 4.37, the requirement of Rule 5.6 that appointments be referred to the Rules Committee for hearing and recommendation so that the Board may consider for immediate adoption without reference to committee the appointment of Mary Millman to the United Nations Plaza working group, seat number two.

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 021447 **Date Passed:**

Motion suspending Rule 4.37 regarding referral of appointments to Rules Committee.

August 19, 2002 Board of Supervisors — ADOPTED

Ayes: 7 - Ammiano, Daly, Gonzalez, Leno, Maxwell, Peskin, Sandoval
Absent: 4 - Hall, McGoldrick, Newsom, Yee

File No. 021447

I hereby certify that the foregoing Motion was ADOPTED on August 19, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021331 MOTION NO. M02-143

[Rebuttal Argument]

Motion authorizing rebuttal ballot argument against Proposition R, an Initiative Ordinance regarding changes to the City's Condominium Conversion Regulations.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal ballot argument against Proposition R, an initiative ordinance to amend the City's Condominium Conversion Regulations; and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

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SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Autl of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT __ FOR or X AGAINST PROPOSITION R FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Final
[illegible]
[illegible]
8-26-02

Style Notes B,*I*, *or BI*		# of words in each line
	A fundamental tenet of democracy is majority rule. Nothing becomes law	11
	without majority support.	3
	But under Prop R, the minority rules. Prop R says that as few as 25% — and	16
	never greater than 40% — of the tenants can make the crucial decision whether	13
	to convert the entire building to condominiums...or not.	9
	If Prop R passes, that same small minority will also decide the future of housing	15
	in San Francisco. That's because Prop R allows over 85,000 apartments — 40%	11
	of our rental stock — to be converted to condominiums.	9
	The disenfranchised majority, although promised a "lifetime lease," actually risk	10
	massive rent hikes or even eviction because under state law the so-called "tenant	14
	protections" are unenforceable and condominiums are easily exempted from rent	10
	control. In Santa Monica, a similar law resulted in only 8% of tenants being able	14
	to purchase their units.	4
	Prop R weakens protections against earthquakes by exempting converted	9
	buildings from seismic safety standards. They will also be exempt from	11
	affordable housing requirements and review by the Planning Commission.	9
	When a similar approach was tried before in San Francisco, the vast majority of	13
	tenants couldn't afford to buy their apartments. Prop R would put thousands of	13
	senior, working family and immigrant tenants at risk.	8

attach additional pages as needed

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021331 **Date Passed:** August 26, 2002

Motion authorizing rebuttal ballot argument against Proposition R, an initiative ordinance regarding changes to the City's Condominium Conversion regulations.

August 26, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

August 26, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 4 - Hall, Leno, Newsom, Yee

File No. 021331

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021327 MOTION NO. M02-144

[Rebuttal Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding the Entertainment Commission.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal to opponent's ballot argument against Proposition F, a Charter amendment (Third Draft) to amend the Charter of the City and County of San Francisco by adding section 4.117 to establish the composition of and appointment of members to the San Francisco Entertainment Commission. , (File 020805); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

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Supervisors Leno, McGoldrick, Daly, Ammiano, Gonzalez, Newsom, Peskin, Sandoval

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Aut . of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT _X FOR or __ AGAINST PROPOSITION __F__ FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Final
approved
in BOD
8-26-02

Style Notes B,*I*, *or BI*	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	THE OPPONENTS TO PROPOSITION F ARE ENTIRELY CONFUSED.	8
	This measure will not create an entertainment commission – that has already	11
	been done by the Mayor and Board of Supervisors. Read the measure and you	14
	will find that Proposition F is about the composition of this commission.	12
	Proposition F will allow the Mayor to appoint 4 commissioners and the Board of	14
	Supervisors to appoint three. If this measure does not pass, then the Mayor will	14
	appoint the entire commission, removing the balanced representation which will	10
	secure effective neighborhood and community involvement.	6
	Proposition F will create a commission with checks and balances to ensure fair	13
	representation. Proposition F gives citizens, neighborhoods and entertainment	8
	communities direct involvement in the decision making that will shape the	11
	future of entertainment and culture in San Francisco.	7
	The new entertainment commission will replace the expensive, arcane and	10
	excessively bureaucratic permit system created during the 1930's to manage	10
	citywide nightlife and entertainment. The new system will promote better	10
	policies for local culture, art and entertainment, and balanced representation is	11
	key to its success. Please vote in favor of Prop F to make sure the new system	17
	works effectively.	2
I	*Supervisors Mark Leno, Tom Ammiano, Chris Daly, Matt Gonzalez, Jake*	10
I	*McGoldrick, Gavin Newsom, Aaron Peskin, and Gerardo Sandoval.*	8
	[continue text on next page) **Total # of Words =**	206

Use additional sheets if more than four signers. Each sheet must include the text of the argument.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021327 **Date Passed:** August 26, 2002

Motion authorizing rebuttal to opponent's ballot argument against Proposition F, a Charter Amendment regarding Entertainment Commission.

August 26, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Noes: 2 - Hall, Yee

File No. 021327

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021329

MOTION NO. M02-145

[Rebuttal Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal to opponent's ballot argument against Proposition C, a Ordinance calling and providing for a special election to be held in the City and County of San Francisco on Tuesday, November 5, 2002, for the purpose of submitting to the voters of the City and County of San Francisco a proposition to incur the following bonded debt of the City and County: One Hundred Twenty-Two Million Seven Hundred Fifty-Five Thousand Dollars ($122,755,000) for the acquisition, rehabilitation, renovation, improvement, construction and/or reconstruction by the City and County of the San Francisco War Memorial Veterans Building, and all other works, property and structures necessary or convenient for the foregoing purposes; providing for the use of available annual revenues on deposit in the War Memorial Special Fund to reduce the property tax impact; finding that the estimated cost of such proposed project is and will be too great to be paid out of the ordinary annual income and revenue of the City and County and will require expenditures greater than the amount allowed therefor by the annual tax levy; reciting the estimated cost of such proposed project; fixing the date of election and the manner of holding such election and the procedure for voting for or against the proposition; fixing the maximum rate of interest on such bonds and providing for the levy and collection of taxes to pay both principal and interest thereof; prescribing notice to be given of such election; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and with the General Plan consistency requirement of Administrative

Code Section 2A.53; consolidating the special election with the general election; establishing the election precincts, voting places and officers for the election; waiving the word limitation on ballot propositions imposed by San Francisco Municipal Elections Code Section 510; complying with Section 53410 of the California Government Code; and incorporating the provisions of Article V of Chapter V of the San Francisco Administrative Code. , (File 021170); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by A rs of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT XFOR or __AGAINST PROPOSITION C FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,I, or BI	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
B	**The great majority of San Francisco veterans support Proposition C.**	9
	The San Francisco American Legion War Memorial Commission, responsible	8
	for representing all veterans' interests in the Veterans Building, endorses	10
	Proposition C. Don't be taken in by a dissident minority who claim this	13
B	measure is about denying veterans access to the Veterans Building. **Proposition**	11
B	**C *DOES NOT*** impact veterans' access to or use of space in the Veterans	14
	Building.	1
	The purpose of Proposition C is to make the Veterans Building safe for the	14
	public, and to protect the building's architectural and historic significance. A	11
I	1996 seismic study found the Veterans Building to have *"major structural and*	12
I	*nonstructural deficiencies. In a major earthquake, the structure is expected to*	11
I	*sustain significant damage which will pose appreciable life safety hazards to the*	12
I	*building's occupants."* Proposition C will upgrade the Veterans Building to	10
	meet current earthquake and building code standards.	7
	A vital component of project planning has been and will continue to be to	14
	honor veterans through upgraded facilities to better meet their needs. Input from	12
	veterans groups that use the building has been solicited extensively and will	12
	continue to be solicited during the design/engineering phase that would follow	12
	Proposition C's passage. Please don't let false claims delay or prevent this	12
	important public safety measure.	4
	Join Supervisors Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick,	8
B	Newsom, Sandoval and Yee in voting **YES ON C** to make our historic Veterans	14
	Building safe and accessible for use by San Francisco veterans, residents and	11
	visitors.	1

attach additional pages as needed

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021329 **Date Passed:** August 26, 2002

Motion authorizing rebuttal to opponent's ballot argument against Proposition C, a Bond Measure regarding Veterans Building Special Election.

August 26, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Hall

File No. 021329

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021387

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MOTION NO. M02-146

[Rebuttal Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal to opponent's ballot argument against Proposition G, a Charter amendment (Fifth Draft) to amend sections 13.103.5, 13.104.5, 15.100 and 6.102 to clarify that said section does not prohibit City personnel from providing to the Department of Elections services that are indistinguishable from services provided to other City departments and unrelated to the conduct of elections; authorize the Board of Supervisors to grant a waiver, applicable before, during and after election day, to the prohibition on use of City employees; eliminate the requirement that, prior to seeking a waiver from the Board of Supervisors, the Elections Commission make a finding that the Department of Elections will not have adequate staffing to conduct an election without the waiver; specify that the Sheriff is responsible for transporting voted ballots and other documents and devices used to record votes from the polls to the central counting location and approving a security plan; and eliminate some of the restrictions that apply to members of the Ethics Commission, Elections Commission, and the City Attorney. , (File 020888); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Au s of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) of this BALLOT ARGUMENT X FOR or __ AGAINST PROPOSITION G FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes **B**, *I*, or ***BI***	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	Last year, the Department of Elections overspent its budget by $5 million. We	13
	need to find ways to reduce costs while maintaining the integrity of our	13
	elections.	1
B	**Proposition G is supported by:**	5
	• the San Francisco League of Women Voters;	6
	• the San Francisco League of Conservation Voters;	6
	• the San Francisco Chamber of Commerce;	5
	• SPUR (San Francisco Planning and Urban Research Association);	7
	• the San Francisco Democratic Party; and	5
	• every member of the San Francisco Board of Supervisors.	8
	Under Proposition G, City personnel would still be prohibited from assisting the	12
	Elections Department, except that: 1) City personnel may provide ordinary	10
	general support services, normally provided to other Departments that are	10
	unrelated to the conduct of an election (such as services relating to human	13
	resources, personnel processing, payroll, workers compensation, budgeting,	7
	accounting, procurement, contracting, and the maintenance of telephone and	9
	voice mail systems); and 2) the Board of Supervisors, upon the request of the	14
	Elections Commission and the recommendation of the Director of Elections,	10
	may waive this prohibition and allow City personnel to assist the Director of	13
	Elections in election related services.	5
	Proposition G will also reduce overtime spent on elections by allowing the	12
	Sheriff to approve a security plan that doesn't rely on overtime.	11

Page ____ of ____ attach additional pages as needed

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021387 **Date Passed:** August 26, 2002

Motion authorizing rebuttal to opponent's ballot argument against Proposition G, a Charter Amendment regarding assistance to the Elections Department.

August 26, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021387

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021389 MOTION NO. M02-147

[Rebuttal Argument]

Authorizing rebuttal to opponent's ballot argument against Proposition A, a Bond Measure regarding a Revenue Bond Election.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal to opponent's ballot argument against Proposition A, a Resolution calling and providing for a special election to be held in the City and County of San Francisco for the purpose of submitting to the qualified voters of said City and County on November 5, 2002 a proposition for the issuance of revenue bonds and/or other forms of revenue financing by the Public Utilities Commission in a principal amount not to exceed $1,628,000,000 to finance the acquisition and construction of improvements to the City's water system; making issuance of the bonds subject to the requirement that San Francisco Administrative Code Chapter 37 (Residential Rent Stabilization and Arbitration Ordinance) be amended to provide that (1) 50% of the costs resulting from increased water rates may be passed through from landlords to residential tenants where a unit is in compliance with any applicable laws requiring water conservation devices, and (2) tenants may file hardship applications with the Rent Board for relief from all or part of the cost passthrough and their affected landlords may utilize any available Public Utilities Commission low-income rate discount program or similar program for water bill reduction based on the tenants' hardship status; and for the possible imposition of a surcharge on retail water customers; and consolidating said special election with the General Municipal Election to be held on November 5, 2002; complying with Section 53410 of the California Government Code; finding the proposed project is in conformity with the priority policies of Planning Code Section 101.1(b) and the City's General Plan. , (File 020910); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Aut . of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) of this BALLOT ARGUMENT X FOR or __ AGAINST PROPOSITION A FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Final approved in BOD 8-26-02

Style Notes B,*I*, or ***BI***	KEEP TEXT WITHIN THESE VERTICAL LINES	# of words in each line
	Even the opponents agree – our water system must be made seismically safe.	12
	Proposition A is the result of three in-depth studies that show an immediate	14
	threat to Hetch Hetchy. Many of the pipes that bring water to San Francisco are	14
	over 80 years old and they run over three major earthquake faults.	12
B	**The science is clear. The studies are sound.** The delays the opponents ask for	14
	will only increase our risk and the ultimate costs of repair.	11
	Some facts to remember:	4
	• If Proposition A fails, pending legislation (AB 1823) enables the California	11
	Department of Health Services to take over the system.	9
	• If we lose the system, we will almost certainly lose the tens of millions of	15
	dollars of revenue it brings to San Francisco.	7
	• Our water rates are some of the lowest in the region – and they will remain	15
	competitive with those in the region because Proposition A will enable us	12
	to retain control of Hetch Hetchy.	6
	• Proposition A includes "lifeline" rates for seniors and low-income tenants,	11
	so we can fix the system without undue economic hardship.	10
	• Proposition A includes additional citizens oversight to make sure funds are	11
	spent efficiently.	2
	The threat is so great, and the costs of delay are so high, that we must put aside	18
	the battles between landlords and tenants to unify for Proposition A. Don't let	13

Page ____ of ____ attach additional pages as needed

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021389 **Date Passed:** August 26, 2002

Motion authorizing rebuttal to opponent's ballot argument against Proposition A, Bond Measure regarding a Revenue Bond Election.

August 26, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin
Noes: 3 - Hall, Sandoval, Yee

File No. 021389

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021393 MOTION NO. M02-148

[Rebuttal Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors Salaries set by the Civil Service Commission.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal to opponent's ballot argument against Proposition J, a Charter amendment (Third Draft) to amend Section 2.100 to provide that the job of a member of the Board of Supervisors of the City and County of San Francisco is a full time position, and to provide that the Civil Service Commission shall set the Supervisors' salary once every five (5) years. The Civil Service Commission must consider salaries of other California City Councils and County Boards of Supervisors, and may also consider the Consumer Price Index (CPI). , (File 020884); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Supervisors Gonzalez, Leno

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Aut' of Arguments and / or Rebuttals

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT _X_ FOR or __ AGAINST PROPOSITION J FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I. or BI*		# of words in each line
	The era when San Francisco Supervisors can be "citizen legislators" has passed.	11
	Historically, the Board was made up of wealthy aristocrats who visited city hall	13
	once a week to check-in. Now, with a $5 billion dollar budget to oversee, this	16
	arrangement is impossible and only favors those in City government who do not	13
	want full-time Supervisors overseeing their work or lack thereof.	10
	Many citizens complain that there isn't enough oversight of the Mayor and City	13
	Departments. That is because we hamstring the Supervisors by not paying them	12
	a decent wage and by hardly giving them any staff.	10
B	While it is true San Francisco has more supervisors than other counties, **San**	11
B	**Francisco is unique in being the only City and County in California.** We	13
	have no City Council - only a Board of Supervisors. San Jose has ten Council	13
	members and Santa Clara County has five Supervisors, for a total of fifteen	12
	legislators. San Francisco has eleven.	4
	The opposition claims that setting wages should not be delegated to the Civil	13
B	Service Commission **but that is who currently sets the salary of every other**	13
B	**elected official in San Francisco.** Why should the Board be treated differently?	11
	This measure also provides that if city workers take a pay reduction due to hard	15
	economic times that the Supervisors would have to take the same reduction.	12
	Workers will not assume a burden that "management" doesn't also accept.	11

Final
approved [illegible]
B[illegible]
[illegible] 26-02

attach additional pages as needed

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021393 **Date Passed:** August 26, 2002

Motion authorizing rebuttal to opponent's ballot argument against Proposition J, a Charter Amendment regarding Supervisors salaries set by the Civil Service Commission.

August 26, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 26, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 2 - Newsom, Yee

File No. 021393

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young

Clerk of the Board

FILE NO. 021395

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MOTION NO. M02-149

[Rebuttal Argument]

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding Energy Self-Sufficiency.

MOVED, That pursuant to Section 550 of the Municipal Elections Code, the Board of Supervisors does hereby authorize a rebuttal to opponent's ballot argument against Proposition D, a Charter amendment (Second Draft) to amend Sections 4.112 and add a new Chapter 8B addressing Commission governance, goals and objectives related to energy, powers of the Commission related to energy, siting of energy facilities and rates for energy services. , (File 021253); and, be it

FURTHER MOVED, That the full text of said argument hereby authorized be shown in the copy attached to this motion and is hereby declared to be a part hereof; and, be it

FURTHER MOVED, That the Director of Elections be and is hereby authorized and directed to include said argument in the pamphlet accompanying the sample ballots to be mailed to the voters of the City and County of San Francisco for the election to be held on Tuesday, November 5, 2002.

Supervisors Gonzalez, Daly

SAN FRANCISCO DEPARTMENT OF ELECTIONS PREFERRED FORMAT FOR SUBMITTING LOCAL BALLOT ARGUMENT

Declaration by Autl of Arguments and / or Rebuttals

final
approved
[illegible]
[illegible]
8-26-[illegible]

THE UNDERSIGNED AUTHOR(S) OF THIS BALLOT ARGUMENT _X_ **FOR** or __ **AGAINST** PROPOSITION D FOR THE ELECTION TO BE HELD IN SAN FRANCISCO ON NOVEMBER 5, 2002 HEREBY STATE THAT SUCH ARGUMENT IS TRUE AND CORRECT TO THE BEST OF HIS/HER/THEIR KNOWLEDGE AND BELIEF. ALL SIGNERS OF THIS ARGUMENT MUST BE REGISTERED TO VOTE IN SAN FRANCISCO

Style Notes B,*I*, or *BI*		# of words in each line
B	**San Francisco consumers can no longer afford to give a blank check to**	12
B	**investor run utilities like PG&E and Mirant.**	7
	PG&E is in federal bankruptcy court. The Mirant Corporation, which runs the	12
	Potrero Hill power plant, is being investigated by the Securities and Exchange	12
	Commission. Both face legal challenges from the state Attorney General and the	12
	City Attorney for unfair business practices.	6
	Recently, the Wall Street Journal reported, "…California's Energy Nightmare	9
	Shows Signs of Returning Soon – the two biggest utilities still aren't	11
	creditworthy."	1
	San Francisco has the opportunity to avoid the risks of relying on investor run	13
	utilities by passing Proposition D.	5
	Proposition D will put San Francisco on the path to energy self-sufficiency by:	13
	• Allowing the city to produce cheap, reliable energy and sell it to San	13
	Francisco consumers;	1
	• Establishing a renewable energy portfolio standard of 25% and implement	10
	energy efficiency goals; and	4
	• Reform the Public Utilities Commission by sharing appointments between	9
	the Mayor, Board of Supervisors and the City Controller.	9

attach additional pages as needed

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021395 **Date Passed:** August 26, 2002

Motion authorizing rebuttal to opponent's ballot argument against Proposition D, a Charter Amendment regarding energy self-sufficiency.

August 26, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING SAME TITLE

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 26, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 8 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval
Noes: 3 - Hall, Newsom, Yee

File No. 021395

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021280 MOTION NO. M02-150

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That on January 27, 2001, the Planning Department adopted and issued a Negative Declaration at 1598 Dolores Street, northwest corner of intersection of Dolores and 29th Streets, making a finding that the project would have no significant impact on the environment; and be it

FURTHER MOVED, That this Board of Supervisors certifies that it has reviewed said Final Negative Declaration and adopts as its own the findings of the Planning Department.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021280 **Date Passed:** August 26, 2002

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of Property at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

—

August 12, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

August 26, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021280

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021453 MOTION NO. M02-151

[Adopting findings related to the conditional use appeal on property located at 1005-1007 Geneva Avenue.]

Motion adopting findings related to the appeal of the Planning Commission's disapproval of Conditional Use Application No. 2002.0015C (which requested authorization to demolish a residential unit at the second story pursuant to Planning Code Section 712.39, and to construct a four-story mixed use building with three residential units and a ground floor commercial space in an NC-3, Moderate Scale Neighborhood Commercial, District and in a 40-X Height and Bulk District) on property located at 1005-1007 Geneva Avenue, north side of Geneva Avenue, between Paris Street and Lisbon Street (Lot 13 in Assessor's Block 6408).

The appellant and applicant, Manuel Gomez, through his agent, Quickdraw Permit Consulting, filed a timely appeal on July 18, 2002, protesting the disapproval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2002.0015C, disapproved by Planning Commission Motion No. 16440, dated June 20, 2002), pursuant to Planning Code Section 712.39, to demolish a residential unit at the second story and to construct a four-story mixed use building with three residential units and a ground floor commercial space in an NC-3 (Moderate Scale Neighborhood Commercial) District and in a 40-X Height and Bulk District, on property located at 1005-1007 Geneva Avenue, north side of Geneva Avenue, between Paris and Lisbon Streets (Lot 13 in Assessor's Block No. 6408).

The public hearing before the Board of Supervisors on said appeal was scheduled for August 19, 2002. On August 19, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's disapproval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on August 19, the Board disapproved

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the decision of the Planning Commission (Planning Commission Motion No. 16440), and approved the issuance of the requested Conditional Use Application No. 2002.0015C.

In reviewing the appeal of the disapproval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16440, dated June 20, 2002, except as indicated below; and, be it

FURTHER MOVED, That the Board of Supervisors further took notice that the project was determined by the Department of Planning to be categorically exempt from the environmental review process pursuant to Class 3 (a) and (c) exemptions of Title 14 of the California Administrative Code. The Board finds that there have been no substantial changes in project circumstances, and no new information of substantial importance that would change the determination of categorical exemption issued by the Planning Department; and, be it

FURTHER MOVED, That the Board of Supervisors finds that:

1. There was no expressed opposition to the project.

2. Finding 4 made by the Planning Commission was incorrect and without substantiation for the following reasons:

(a) There is sufficient evidence to support the demolition of the existing house. The current condition of the house is a threat to the public health and safety, and the estimated repair costs are too great to support repair. Removal and construction of a new building would put the land to its best use and better serve the community.

(b) The proposed building is not too tall in comparison to nearby buildings, and will not have the negative effect of encouraging inappropriate demolitions and development on

Geneva Avenue.

(c) The demolition of the existing house will not reduce the supply of affordable housing and deprive potential first-time homebuyers the opportunity to enter into the housing market.

3. The proposed use or feature, at the size and intensity contemplated and at the proposed location, will provide a development that is necessary or desirable for, and compatible with, the neighborhood and the community.

4. The proposed use or feature will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or be injurious to property, improvements or potential development in the vicinity, with respect to aspects including, but not limited to, the following:

(a) The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of the structure.

(b) The accessibility and traffic patterns for persons and vehicles, the type and volume of such traffic, and the adequacy of proposed off-street parking and loading.

(c) The safeguards afforded to prevent noxious or offensive emissions such as noise, glare, dust, and odor.

(d) Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, parking and loading areas, lighting and signs.

5. The proposed use will comply with the applicable provisions of the City's Planning Code, and will not adversely affect the General Plan.

6. The proposed use will provide development that is in conformity with the stated purpose of the NC-3 District.

FURTHER MOVED, That, on balance, the project, as proposed, is consistent with the objectives and Policies of the General Plan, and is consistent with the Priority Policies of

Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion No. 16440, dated June 20, 2002, and approved the issuance of Conditional Use Application No. 2002.0015C on property located at 1005 – 1007 Geneva Avenue.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021453 **Date Passed:**

Motion adopting findings related to the appeal of the Planning Commission's disapproval of Conditional Use Application No. 2002.0015C (which requested authorization to demolish a residential unit at the second story pursuant to Planning Code Section 712.39, and to construct a four-story mixed use building with three residential units and a ground floor commercial space in an NC-3, Moderate Scale Neighborhood Commercial, District and in a 40-X Height and Bulk District) on property located at 1005-1007 Geneva Avenue, north side of Geneva Avenue, between Paris Street and Lisbon Street (Lot 13 in Assessor's Block 6408).

—

August 19, 2002	Board of Supervisors — REFERRED: Board of Supervisors
August 26, 2002	Board of Supervisors — APPROVED Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee Absent: 2 - Ammiano, Newsom

File No. 021453

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021457 MOTION NO. M02-152

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 021457 **Date Passed:** August 26, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

August 26, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 3 - Ammiano, McGoldrick, Newsom

File No. 021457

I hereby certify that the foregoing Motion was APPROVED on August 26, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020702 MOTION NO. M02-153

[Final Map for a 9 Unit Live/Work Condominium Project]

Motion approving Final Map of 637 Natoma Street, a Live/Work Condominium Project, being a subdivision of Lot 200, Assessor's Block No. 3727, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 637 Natoma Street, a Live/Work Condominium Project", being a subdivision of Lot 200, Portion of Assessor's Block No. 3727, comprising 6 sheets, approved the 11th day of September, 2002 by Department of Public Works Order No. 173,704, be and the same is hereby approved and adopted as the Official Map of 637 Natoma Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated February 8, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
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File Number: 020702 **Date Passed:** September 17, 2002

Motion approving Final Map of 637 Natoma Street, a Live/Work Condominium Project, being a subdivision of Lot 200, Assessor's Block No. 3727, and adopting findings pursuant to City Planning Code Section 101.1.

September 17, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

File No. 020702

I hereby certify that the foregoing Motion was APPROVED on September 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 020756

MOTION NO. M02-154

[Final Map for a 15 Unit Commercial / Residential Condominium Project]

Motion approving Final Map of 741 & 745 Clement Street, a Commercial / Residential Condominium Project, being a merger and subdivision of Lots 31 and 31A Assessor's Block No. 1440, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 741 & 745 Clement Street, a Commercial / Residential Condominium Project", being a subdivision of Lots 31 and 31A, Portion of Assessor's Block No. 1440, comprising 6 sheets, approved the 11th day of September, 2002 by Department of Public Works Order No. 173,706, be and the same is hereby approved and adopted as the Official Map of "741 & 745 Clement Street, A Commercial / Residential Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated June 19, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

File Number: 020756 **Date Passed:** September 17, 2002

Motion approving Final Map of 741 & 745 Clement Street, a Commercial/Residential Condominium Project, being a merger and subdivision of Lots 31 and 31A Assessor's Block No. 1440, and adopting findings pursuant to City Planning Code Section 101.1.

September 17, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

File No. 020756

I hereby certify that the foregoing Motion was APPROVED on September 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L.

Gloria L. Young
Clerk of the Board

FILE NO. 021500 MOTION NO. M02-155

[Final Map for an 8 Unit Live/Work Condominium Project]

Motion approving Final Map of 428 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 70, Assessor's Block No. 3757, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 428 8th Street, a Live/Work Condominium Project", being a subdivision of Lot 70, Portion of Assessor's Block No. 3757, comprising 5 sheets, approved the 26th day of August, 2002 by Department of Public Works Order No. 173,688, be and the same is hereby approved and adopted as the Official Map of 428 8th Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated February 28, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021500 **Date Passed:** September 17, 2002

Motion approving Final Map of 428 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 70, Assessor's Block No. 3757, and adopting findings pursuant to City Planning Code Section 101.1.

September 17, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

File No. 021500

I hereby certify that the foregoing Motion was APPROVED on September 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021528 MOTION NO. M02-156

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell
BOARD OF SUPERVISORS

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021528 **Date Passed:** September 17, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

September 17, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

File No. 021528

I hereby certify that the foregoing Motion was APPROVED on September 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021539 MOTION NO. M02-157

[Final Map for a 6 Unit Live/Work Condominium Project]

Motion approving Final Map of 475 Hampshire Street, a Live/Work Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 3973, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 475 Hampshire Street, a Live/Work Condominium Project", being a subdivision of Lot 3, Portion of Assessor's Block No. 3973, comprising 4 sheets, approved the 26th day of August, 2002 by Department of Public Works Order No. 173,689, be and the same is hereby approved and adopted as the Official Map of 475 Hampshire Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated December 14, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
Division Manager

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021539 **Date Passed:** September 17, 2002

Motion approving Final Map of 475 Hampshire Street, a Live/Work Condominium Project, being a subdivision of Lot 3, Assessor's Block No. 3973, and adopting findings pursuant to City Planning Code Section 101.1.

September 17, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

File No. 021539

I hereby certify that the foregoing Motion was APPROVED on September 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021540 MOTION NO. M02-158

[Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 2999 Pacific Avenue, A Residential Condominium Project, being a resubdivision of Lots 80, 81, 82, 83, 84, and 85 in Assessor's Block No. 976, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2999 Pacific Avenue, A Residential Condominium Project", being a resubdivision of Lots 80, 81, 82, 83, 84 and 85, Portion of Assessor's Block No. 976, comprising 5 sheets, approved the 21st day of August, 2002 by Department of Public Works Order No. 173,683, be and the same is hereby approved and adopted as the Official Map of "2999 Pacific Avenue, A Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated July 23, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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City and County of San Francisco

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021540 **Date Passed:** September 17, 2002

Motion approving Final Map of 2999 Pacific Avenue, A Residential Condominium Project, being a resubdivision of Lots 80, 81, 82, 83, 84, and 85 in Assessor's Block No. 976, and adopting findings pursuant to City Planning Code Section 101.1.

September 17, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

File No. 021540

I hereby certify that the foregoing Motion was APPROVED on September 17, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment of the whole in committee 8/20/02
FILE NO. 020618

MOTION NO. M02-159

[Amending the Rules of the Board to schedule regular Board meetings on Tuesdays at 2pm, effective the week of ~~January 12,~~ February 2, 2003.]

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to require the scheduling of regular meetings of the Board of Supervisors on Tuesdays at 2pm, instead of Mondays at 2pm, effective the week of ~~January 12,~~ February 2, 2003.

Note: Additions are *single-underline italics Times New Roman*;
deletions are ~~*strikethrough italics Times New Roman*~~.
Board amendment additions are double underlined.
Board amendment deletions are ~~strikethrough normal~~.

MOVED, That the Board of Supervisors of the City and County of San Francisco does hereby amend Rule 6.2 to read as follows:

6.2. Regular Meetings of Board. *Through* ~~January 6~~ January 27*, 2003, t*~~T~~he Board shall hold a regular meeting in the Chamber in City Hall each week at 2:00 p.m. on Monday, unless it is a holiday, in which case the meeting shall be held on the next regular business day. *Effective the week of* ~~January 12~~ February 2*, 2003, the Board shall hold a regular meeting in the Chamber in City Hall each week at 2:00 p.m. on Tuesday, unless it is a holiday, in which case the meeting shall be held on the next regular business day.* The Board shall not meet during the week after Thanksgiving, between December 24 and December 31, inclusive, nor on any Monday *or Tuesday* if the following day is a holiday, unless the Board, by majority vote, decides to hold a meeting at these times.

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 020618 **Date Passed:** September 30, 2002

Motion amending Rule 6.2 of the Rules of Order of the Board of Supervisors to require the scheduling of regular meetings of the Board of Supervisors on Tuesdays at 2 p.m., instead of Mondays at 2 p.m., effective the week of February 2, 2003.

September 17, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

September 23, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

September 30, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Sandoval, Yee
Noes: 1 - Peskin
Absent: 1 - McGoldrick

File No. 020618

I hereby certify that the foregoing Motion was APPROVED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021243 MOTION M02-160

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

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Tails

Motion

File Number: 021243 **Date Passed:** September 30, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2000.1058C, on property located 1598 Dolores Street, for action by the Board at its next meeting.

August 12, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

August 26, 2002 Board of Supervisors — CONTINUED

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 3 - Hall, Newsom, Yee
Absent: 3 - Daly, McGoldrick, Sandoval

September 17, 2002 Board of Supervisors — CONTINUED

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Yee
Absent: 3 - Leno, Peskin, Sandoval

September 23, 2002 Board of Supervisors — CONTINUED

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 4 - Daly, Hall, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

September 30, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 2 - Daly, Sandoval

File No. 021243

I hereby certify that the foregoing Motion was APPROVED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021247 MOTION M02-161

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting.

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021247 **Date Passed:** September 30, 2002

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional Use Application No. 2002.0408C, on property located 2863 California Street, for action by the Board at its next meeting.

August 19, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 26, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

September 17, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

September 23, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

September 30, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021247

I hereby certify that the foregoing Motion was APPROVED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

File No. 021247

FILE NO. 021594

MOTION NO. M02-162

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick. Maxwell
BOARD OF SUPERVISORS

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San Francisco, CA 94102-4689

City and County of San Francisco

Tails

Motion

File Number: 021594 **Date Passed:** September 30, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

September 30, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Absent: 1 - Daly

File No. 021594

I hereby certify that the foregoing Motion was APPROVED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

Amendment of the Whole
9/30/02

FILE NO. 021242 MOTION NO. M02-163

[Zoning Appeal – 1598 Dolores Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, subject to Planning Commission conditions, as revised by the Board of Supervisors, for property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No. 16445 dated June 19, 2002, approving Conditional Use Application No. 2000.1058C to develop two (2) residential buildings with a total of 13 dwelling units (two of which are affordable) and up to 26 off-street parking spaces, to develop a lot 5,000 square feet or more in size, within an NC-1 (Neighborhood Commercial Cluster) District, and a 40-X Height and Bulk District on property located at:

1598 Dolores Street (Reilly's Funeral Home), northwest corner of Dolores and 29th Streets; Lots 7, 9, and 38, in Assessor's Block 6618,

be and the same is disapproved.

FURTHER MOVED, That the Board of Supervisors hereby approves the issuance of Conditional Use Application No. 2000.1058C on this property, subject to the conditions imposed by the Planning Commission in its Motion No. 16445, dated June 19, 2002, except that the Board of Supervisors hereby revises the conditions imposed by the planning Commission as follows:

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1. Planning Commission Conditions 1, 6, and 7 are amended to provide that one affordable housing unit shall be constructed, that unit being the three-bedroom unit designated by the sponsor as unit # 10.

2. Planning Commission Condition 1 is amended to provide that a minimum of 13 parking spaces, and up to 26 parking spaces, shall be constructed at the Project.

3. Planning Commission Condition 1 is amended to add that the end portion of the proposed fourth floor on the western end of the 29th Street building will be further notched back 4 feet away from neighboring buildings to the west on 29th Street, and that the end portion of the proposed fourth floor on the northern end of the Dolores Street building will be further notched back 4 feet away from the neighboring buildings to the north on Dolores Street.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021242 **Date Passed:** September 30, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16445, approving Conditional Use Application No. 2000.1058C, on property located at 1598 Dolores Street, and adopting findings pursuant to Planning Code Section 101.1.

August 12, 2002 Board of Supervisors — CONTINUED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Noes: 1 - Newsom

August 26, 2002 Board of Supervisors — CONTINUED

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 3 - Hall, Newsom, Yee
Absent: 3 - Daly, McGoldrick, Sandoval

September 17, 2002 Board of Supervisors — CONTINUED

Ayes: 8 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Yee
Absent: 3 - Leno, Peskin, Sandoval

September 23, 2002 Board of Supervisors — CONTINUED

Ayes: 5 - Ammiano, Gonzalez, Leno, Maxwell, Peskin
Noes: 4 - Daly, Hall, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

September 30, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Yee
Noes: 2 - Daly, Sandoval

File No. 021242

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

AMENDMENT OF THE WHOLE
9/30/02

FILE NO. 021246 MOTION NO. M02-164

[Zoning Appeal 2863 California Street]

Motion disapproving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, subject to Planning Commission conditions, as revised by the Board of Supervisors, for property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the decision of the Planning Commission by its Motion No. 16446 dated June 20, 2002, approving Conditional Use Application No. 2002.0408C pursuant to Planning Code Sections 161(j) for a proposed three story mixed- use building without off-street parking for four residential units in a Small Scale Neighborhood Commercial District (NC-2) District, located at:

2863 California Street, on the south side between Broderick and
Divisadero Streets; Lot 023, in Assessor's Block 1028,

be and the same is disapproved.

FURTHER MOVED, That the Board of Supervisors hereby approves the issuance of Conditional Use Application No. 2002.0408C on this property, subject to the conditions imposed by the Planning Commission in its Motion No. 16446, dated June 20, 2002, except that the Board of Supervisors hereby revises the conditions imposed by the Planning Commission to delete Condition 3 ("Project sponsor shall satisfy the residential parking requirement by providing off-site parking to the residential tenants 24 hours a day and seven days a week.") and Condition 8 ("The new on-street parking space, created as a result of eliminating the existing curb cut, shall be preserved as a metered space for the life of the

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new residential units and shall not be converted to a passenger loading or unloading zone or other zone.").

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021246 **Date Passed:** September 30, 2002

Motion disapproving decision of the Planning Commission by its Motion No. 16446, approving Conditional Use Application No. 2002.0408C, on property located at 2863 California Street, and adopting findings pursuant to Planning Code Section 101.1.

August 19, 2002 Board of Supervisors — CONTINUED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

August 26, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 2 - Ammiano, Newsom

September 17, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 2 - Leno, Peskin

September 23, 2002 Board of Supervisors — CONTINUED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Peskin, Sandoval, Yee
Absent: 2 - McGoldrick, Newsom

September 30, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

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100 Larkin Street Govt Information Center

File No. 021246

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on September 30, 2002 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
f— Gloria L. Young
Clerk of the Board

Amendment of the Whole
10/7/02

FILE NO. 021570 MOTION NO. M02-165

[Waiver Permitting City Employees to Serve as Field Election Deputies and Otherwise Assist the Department of Elections on November 5, 2002 and December 10, 2002.]

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to serve as Field Election Deputies and otherwise assist the Department of Elections on November 5, 2002 and December 10, 2002.

WHEREAS, San Francisco Charter section 13.104.5 prohibits City employees and officers (other than the Director of Elections, an appointee of the Director of Elections or a member of the Elections Commission) from performing "any function relating to the conduct of an election;" and,

WHEREAS, Charter section 13.104.5 authorizes the Board of Supervisors, upon the request of the Elections Commission, to waive this prohibition for election day activity; and,

WHEREAS, The Elections Commission has requested that the Board of Supervisors waive this prohibition to permit City employees to ~~serve as Field Election Deputies and otherwise~~ assist the Department of Elections on election day~~, November 5, 2002~~; now, therefore, be it

MOVED, That the Board of Supervisors waives the prohibition imposed by Charter section 13.104.5, to permit ~~employees of the Controller's Office and the City Attorney's Office and~~ civil servants working for City departments, other than departments whose elective officer is standing for election on November 5, 2002 or December 10, 2002, to serve as Field Election Deputies and *to permit such civil servants and employees of the City Attorney's office to* otherwise assist the Department of Elections on November 5, 2002 and December 10, 2002.

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Supervisor Ammiano
DEPARTMENT OF ELECTIONS

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021570 **Date Passed:** October 7, 2002

Motion granting a waiver from the prohibition imposed by Charter section 13.104.5, to permit City employees to serve as Field Election Deputies and otherwise assist the Department of Elections on November 5, 2002 and December 10, 2002.

October 7, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

October 7, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

File No. 021570

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021592 MOTION NO. M02-166

[Final Map for a 9 Unit Residential Condominium Project]

Motion approving Final Map of 741 Ellis Street, A Residential Condominium Project, being a subdivision of Lot 23 in Assessor's Block No. 740, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 741 Ellis Street, A Residential Condominium Project", being a subdivision of Lot 23, Portion of Assessor's Block No. 740, comprising 4 sheets, approved the 25th day of September, 2002 by Department of Public Works Order No. 173,732, be and the same is hereby approved and adopted as the Official Map of "741 Ellis Street, A Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated January 10, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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1 Dr. Carlton B. Goodlett Place
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Motion

File Number: 021592 **Date Passed:** October 7, 2002

Motion approving Final Map of 741 Ellis Street, A Residential Condominium Project, being a subdivision of Lot 23 in Assessor's Block No. 740, and adopting findings pursuant to City Planning Code Section 101.1.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

File No. 021592

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021616 MOTION NO. M02-167

[Final Map for a 14 Unit Live/Work Condominium Project]

Motion approving Final Map of 630 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 10, Assessor's Block No. 3782, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 630 8th Street, a Live/Work Condominium Project", being a subdivision of Lot 10, Portion of Assessor's Block No. 3782, comprising 6 sheets, approved the 25th day of September, 2002 by Department of Public Works Order No. 173,733, be and the same is hereby approved and adopted as the Official Map of 630 8th Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated June 22, 2000, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021616 **Date Passed:** October 7, 2002

Motion approving Final Map of 630 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 10, Assessor's Block No. 3782, and adopting findings pursuant to City Planning Code Section 101.1.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

File No. 021616

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021617 MOTION NO. M02-168

[Final Map for a 28 Unit Live/Work Condominium Project]

Motion approving Final Map of 2412 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3612, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2412 Harrison Street, a Live/Work Condominium Project", being a subdivision of Lot 2, Portion of Assessor's Block No. 3612, comprising 8 sheets, approved the 25th day of September, 2002 by Department of Public Works Order No. 173,734, be and the same is hereby approved and adopted as the Official Map of 2412 Harrison Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated July 25, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin Lee

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

J R M

John R. Martin, L.S.
County Surveyor

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1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

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Motion

File Number: 021617 **Date Passed:** October 7, 2002

Motion approving Final Map of 2412 Harrison Street, a Live/Work Condominium Project, being a subdivision of Lot 2, Assessor's Block No. 3612, and adopting findings pursuant to City Planning Code Section 101.1.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

File No. 021617

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021618 MOTION NO. M02-169

[Appointment, Planning Commission]

Motion approving the Mayor's nomination of Michael Antonini to Seat No. 4 of the Planning Commission, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 4; and

WHEREAS, Under Charter Section 4.105, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination to the Planning Commission:

Michael Antonini, new position, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021618 **Date Passed:** October 7, 2002

Motion approving the Mayor's nomination of Michael Antonini to Seat No. 4 of the Planning Commission, term to be determined by lot.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 1 - McGoldrick

File No. 021618

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021620 MOTION NO. M02-170

[Appointment, Planning Commission]

Motion approving the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 5; and

WHEREAS, Under Charter Section 4.105, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Planning Commission; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination to the Planning Commission:

Shelley Bradford Bell, new position, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

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MAYOR
Clerk of the Board of Supervisors
BOARD OF SUPERVISORS

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021620 **Date Passed:** October 7, 2002

Motion approving the Mayor's nomination of Shelley Bradford Bell to Seat No. 5 of the Planning Commission, term to be determined by lot.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 6 - Hall, Leno, Maxwell, Newsom, Sandoval, Yee
Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin

File No. 021620

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021622 MOTION NO. M02-171

[Appointment, Planning Commission]

Motion approving the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 6; and

WHEREAS, Under Charter Section 4.105, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination to the Planning Commission:

Edgar Boyd, new position, Seat No. 6, must be nominated by the Mayor, term to be determined by lot.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021622 **Date Passed:** October 7, 2002

Motion approving the Mayor's nomination of Edgar Boyd to Seat No. 6 of the Planning Commission, term to be determined by lot.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 2 - Gonzalez, McGoldrick

File No. 021622

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021626 MOTION NO. M02-172

[Appointments, Board of Appeals]

Motion approving the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 3; and

WHEREAS, Under Charter Section 4.106, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Arnold Chin to Board of Appeals:

Arnold Chin, new position, Seat No. 3, must be nominated by the Mayor, term to be determined by lot.

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BOARD OF SUPERVISORS

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Tails

Motion

File Number: 021626

Date Passed: October 7, 2002

Motion approving the Mayor's nomination of Arnold Chin to Seat No. 3 of the Board of Appeals, term to be determined by lot.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 7 - Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 4 - Ammiano, Daly, Gonzalez, McGoldrick

File No. 021626

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021628 MOTION NO. M02-173

[Appointments, Board of Appeals]

Motion approving the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 4; and

WHEREAS, Under Charter Section 4.106, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Kathleen Harrington to Board of Appeals:

Kathleen Harrington, Seat No. 4, must be nominated by the Mayor, term to be determined by lot.

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Motion

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San Francisco, CA 94102-4689

File Number: 021628 **Date Passed:** October 7, 2002

Motion approving the Mayor's nomination of Kathleen Harrington to Seat No. 4 of the Board of Appeals, term to be determined by lot.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 6 - Hall, Leno, Maxwell, Newsom, Sandoval, Yee
Noes: 5 - Ammiano, Daly, Gonzalez, McGoldrick, Peskin

File No. 021628

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021633 MOTION NO. M02-174

[Appointments, Board of Appeals]

Motion approving the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.106, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 5; and

WHEREAS, Under Charter Section 4.106, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's appointment of Sabrina Saunders to Board of Appeals:

Sabrina Saunders, Seat No. 5, must be nominated by the Mayor, term to be determined by lot.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021633 **Date Passed:** October 7, 2002

Motion approving the Mayor's nomination of Sabrina Saunders to Seat No. 5 of the Board of Appeals, term to be determined by lot.

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Sandoval, Yee
Noes: 1 - McGoldrick

File No. 021633

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

As Amended in Board
10/7/02

FILE NO. 021672 MOTION NO. M02-175

[Adopting findings related to the conditional use appeal on property located at 1598 Dolores Street.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1058C (which approved the development of two residential buildings with a total of 13 dwelling units ((two of which are affordable)) and up to 26 off-street parking spaces, and the development of a lot 5,000 square feet or more in size within an NC-1 ((Neighborhood Commercial Cluster)) District and a 40-X Height and Bulk District, for property located at 1598 Dolores Street, at the northwest corner of Dolores and 29th Streets (Lots 7, 9 and 38 in Assessor's Block 6618).

The appellants, Stephen Williams and Domingo Tavella, filed a timely appeal on July 19, 2002, protesting the approval by the Planning Commission of an application for a conditional use authorization (Conditional Use Application No. 2000.1058C, approved by Planning Commission Motion No. 16445, dated June 19, 2002) to develop two residential buildings with a total of 13 dwelling units (two of the units being affordable) and up to 26 off-street parking spaces, to develop a lot 5,000 square feet or more in size, within an NC-1 (Neighborhood Commercial Cluster) District, and a 40-X Height and Bulk District on property located at 1598 Dolores (Reilly's Funeral Home), northwest corner of Dolores and 29th Streets (Lots 7, 9 and 38 in Assessor's Block 6618).

The public hearing before the Board of Supervisors on said appeal was scheduled for August 12, 2002. On August 12 the Board continued the matter, including the public hearing, to August 26, 2002. On August 26 the Board conducted a duly noticed public hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on August 26, the Board continued its consideration of the matter to September 17, 2002. On September 17 the Board further

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continued its consideration of the matter to September 23, 2002. On September 23 the Board further continued its consideration of the matter to September 30, 2002. On September 30 the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 16445), and approved the issuance of requested Conditional Use Application No. 2000.1058C, subject to conditions imposed by the Planning Commission as modified by the Board of Supervisors (the "Project").

In reviewing the appeal of the approval of the requested Conditional Use Authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16445, dated June 19, 2002, except as indicated below.

FURTHER MOVED, That the Board of Supervisors took notice of the Planning Commission's decision on June 20, 2002, upholding the preliminary Negative Declaration and adopting and issuing a Final Negative Declaration of Environmental Review pursuant to the Guidelines of the State Secretary of Resources for the implementation of the California Environmental Quality Act. The Commission found that the Final Negative Declaration is adequate and complete, that there is no substantial evidence that the Project would have a significant effect on the environment, and that the Negative Declaration reflects the Planning Commission's independent judgment and analysis. On August 26, 2002, the Board certified its review of the Final Negative Declaration and adopted findings pursuant to Planning Code Section 101.1. The Board finds that there have been no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the Final Negative Declaration.

FURTHER MOVED, That at the public hearing on this appeal members of the public testified that they had concerns that the massing and height of the buildings of the Project would not be compatible with the size and intensity of other buildings in the neighborhood. The Board of Supervisors finds that, based upon the public testimony before the Board, the Project, as approved by the Planning Commission, would not satisfy the requirements of Planning Code Section 303 (c) (1) as effectively as a Project with additional conditions to assure that the Project remains compatible with the neighborhood. On September 30 the Board of Supervisors decided to set back a portion of the fourth floor of the 29th Street building and the Dolores Street building of the Project, thereby making the project more compatible with the size and intensity of other buildings in the neighborhood.

FURTHER MOVED, That the Planning Commission decision requires the sponsor to construct up to 26 off-street parking spaces on the ground and between ground floors. The Board finds that the City's Transit First Policies should be supported by requiring the inclusion of a minimum of 13 parking spaces in the Project, but allowing the sponsor to include up to 13 additional parking spaces (a total of 26 possible parking spaces, with 13 spaces being required). The Project, as revised and approved by the Board, would meet Planning Code Section 151 requirements that one independently accessible off-street parking space be constructed for every dwelling unit. ~~The project would also maintain the present availability of on street parking with the proposal of a single curb cut and garage entrance on 29th Street.~~

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FURTHER MOVED, That the Planning Commission decision required the sponsor to designate a total of two dwelling units as affordable (Below Market Rate) units to be constructed in the Project. In light of the City's policies in support of suitable affordable housing units for larger families, the Board determined that the sponsor shall designate a three-bedroom unit as an affordable unit (Unit # 10 in the Project). In exchange for the designation of unit # 10, a three-bedroom unit, as an affordable housing unit, and the impositions of the additional 4 foot set backs on both the 29th Street and Dolores buildings, the Board of Supervisors determined that it was in the best interests of the City to require only the one larger affordable unit, rather than two smaller affordable units. This decision by the Board is consistent with, and in furtherance of, the Planning Code Section 101.1 Priority Policy that requires that the City's supply of affordable housing be preserved and enhanced.

FURTHER MOVED, That at its September 30, 2002, meeting the Board of Supervisors disapproved the decision of the Planning Commission, approved the issuance of Conditional Use Application No. 2000.1058C, approved and imposed the conditions of the Planning Commission in its Motion No. 16445, and imposed the following amendments to the conditions imposed by the Planning Commission:

1. Planning Commission Conditions 1, 6, and 7 are amended to provide that one affordable housing unit shall be constructed, that unit being the three-bedroom unit designated by the sponsor as unit # 10.

2. Planning Commission Condition 1 is amended to provide that a minimum of 13 parking spaces, and up to 26 parking spaces, shall be constructed at the Project.

3. Planning Commission Condition 1 is amended to add that the end portion of the proposed fourth floor on the western end of the 29th Street building will be further notched back 4 feet away from neighboring buildings to the west on 29th Street, and that the end portion of the proposed fourth floor on the northern end of the Dolores Street building will be further notched back 4 feet away from the neighboring buildings to the north on Dolores Street.

FURTHER MOVED, That with the imposition of the revised Conditions, as listed above, the Board of Supervisors finds that the Project, as proposed and approved with the conditions imposed by the Planning Commission as amended by the Board, will meet the requirements of Planning Code Section 303. The revised Project will provide a development that is necessary or desirable for, and compatible with, the neighborhood of the community, and that such use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, and that such use will not adversely affect the General Plan.

FURTHER MOVED, That, on balance, the Project, as approved by the Planning Commission and revised by the Board of Supervisors, is consistent with the Objectives and Policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion 16445, dated June 19, 2002, and approved the issuance of Conditional Use Application No. 2000.1058C on property located at 1598 Dolores Street, subject to the revised conditions imposed by the Board on September 30, 2002, as referred to earlier in this motion.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021672 **Date Passed:** October 7, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2000.1058C (which approved the development of two residential buildings with a total of 13 dwelling units ((two of which are affordable)) and up to 26 off-street parking spaces, and the development of a lot 5,000 square feet or more in size within an NC-1 ((Neighborhood Commercial Cluster)) District and a 40-X Height and Bulk District, for property located at 1598 Dolores Street, at the northwest corner of Dolores and 29th Streets (Lots 7, 9 and 38 in Assessor's Block 6618).

October 2, 2002 Board of Supervisors — REFERRED: Board of Supervisors

October 7, 2002 Board of Supervisors — AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

October 7, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021672

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021673 MOTION NO. M02-176

[Adopting findings related to the conditional use appeal on property located at 2863 California Street.]

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0408C (which approved a proposed three story mixed-use building without off-street parking for four residential units in a Small Scale NC-2, Neighborhood Commercial District) for property located at 2863 California Street, on the south side between Broderick and Divisadero Streets (Lot 23 in Assessor's Block 1028).

Under the provisions of Section 308.1 (b) of the City Planning Code, having determined that they believed there was sufficient public interest and concern in the matter to warrant a hearing before the Board of Supervisors, five members of the Board of Supervisors filed a notice of appeal on July 22, 2002, bringing before the Board the decision of the Planning Commission to approve a conditional use authorization (Conditional Use Application No. 2002.0408C, approved by Motion No. 16446, dated June 20, 2002), pursuant to Planning Code Section 161(j), for a proposed three story mixed-use building without off-street parking for four residential units in an NC-2 (Small Scale Neighborhood Commercial District), located at 2863 California Street, on the south side between Broderick and Divisadero Streets (Lot 23 in Assessor's Block 1028).

The public hearing before the Board of Supervisors on said appeal was scheduled for August 19, 2002. On August 19, 2002, the Board conducted a duly noticed hearing on the appeal from the Planning Commission's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on August 19, 2002, the Board continued its consideration of the matter to August 26, 2002. On August 26, 2002, the Board further continued its consideration of the matter to September 17, 2002. On September 17,

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2002, the Board further continued its consideration of the matter to September 23, 2002. On September 23, 2002, the Board further continued its consideration of the matter to September 30, 2002. On September 30, 2002, the Board disapproved the decision of the Planning Commission (Planning Commission Motion No. 16446), and approved the issuance of requested Conditional Use Application No. 2002.0408C, subject to conditions imposed by the Planning Commission, as modified by the Board of Supervisors (the "Project").

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and opposed to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Planning Commission in its Motion No. 16446, dated June 20, 2002, except as indicated below.

FURTHER MOVED, That the Board of Supervisors took notice that the proposed Conditional Use was determined by the Planning Department to be categorically exempt from the environmental review process pursuant to Class 3 (a) and (c) exemptions of Title 14 of the California Administrative Code. The Board finds that there have been no substantial Project changes, no substantial changes in Project circumstances, and no new information of substantial importance that would change the conclusions set forth in the Certificate of Exemption/Exclusion from Environmental Review finding that the proposed Project is exempt/excluded from environmental review.

FURTHER MOVED, That the primary objection to the Planning Commission's decision was its decision not to require four on-site parking spaces for the Project. Section 711.94 of the Planning Code requires one parking stall for each dwelling unit in this Project. Section 161(j) of the Planning Code allows a reduction in the number of off-street parking spaces required for dwelling units in Neighborhood Commercial Districts, and establishes criteria for consideration of an exception. The Planning Commission found that the Project, with the elimination of the four required parking stalls, complied with the criteria of Planning Code Sections 161(j) and 303(c). The Board of Supervisors finds that, based upon the public testimony and public record before the Board, this Planning Commission finding was erroneous. The Project as approved by the Planning Commission, contrary to its findings, would not have met the requirements of Planning Code Sections 161(j) and 303(c), due to the Project's impact on neighborhood parking, traffic and convenience.

FURTHER MOVED, That the Board finds that the approval of the Project without four on-site parking stalls would not be justified, due to the reasonably anticipated auto usage of residents of, and visitors to, the Project. It can be anticipated that residents of the Project would have automobiles that would need to be parked in the neighborhood, and visitors to the building may also need to park their automobiles in the neighborhood. The resulting increase in parking demand, traffic congestion, and neighborhood noise and pollution resulting from drivers attempting to park cars in an already crowded neighborhood that has limited street parking available, will be detrimental to the health, safety, convenience and general welfare of persons residing or working in the vicinity. The Planning Commission Conditions allow the sponsor to satisfy the residential parking requirement by providing off-site parking to the residential tenants 24 hours a day and seven days a week. Visitors to the Project would not be provided with off-site parking stalls. It is also reasonable to expect that residents would more likely use on-site parking spaces, and might not wish to use off-site parking spaces, especially at night or in inclement weather. The securing of off-site parking at a distance from the Project does not ensure that residents of the Project will not attempt to use street parking near their residences. On-site parking stalls would more likely keep residents from congesting neighborhood streets and street parking areas with their automobiles.

FURTHER MOVED, That the Board was advised at the September 30, 2002, Board meeting that the sponsor of the Project had agreed to include in the Project four subterranean off-street parking stalls.

FURTHER MOVED, That at its September 30, 2002, meeting the Board of Supervisors disapproved the decision of the Planning Commission, approved the issuance of requested Conditional Use Application No. 2002.0408C, approved and imposed the conditions of the Planning Commission in its Motion No. 16446, except that Condition 3 of the Planning Commission ("Project Sponsor shall satisfy the residential parking requirement by providing off-site parking to the residential tenants 24 hours a day and seven days a week.") and Condition 8 ("The new on-street parking space, created as a result of eliminating the existing curb cut, shall be preserved as a metered space for the life of the new residential units and shall not be converted to a passenger loading or unloading zone or other zone.") were deleted.

FURTHER MOVED, That with the imposition of the revised Conditions, as listed above, the Board of Supervisors finds that the Project, as proposed and approved with the conditions imposed by the Planning Commission and as amended by the Board, will meet the requirements of Planning Code Section 303. The revised Project will provide a development that is necessary or desirable for, and compatible with, the neighborhood of the community, and that such use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, and that such use will not adversely affect the General Plan.

FURTHER MOVED, That, on balance, the Project, as revised by the Board of Supervisors, is consistent with the objective and Policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Commission by its Motion 16446, dated June 20, 2002, and approved the issuance of Conditional Use Application No. 2002. 0408C on property located at 2863 California Street, subject to the revised conditions imposed by the Board on September 30, 2002, as referred to earlier in this motion.

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021673 **Date Passed:** October 7, 2002

Motion adopting findings related to the appeal of the Planning Commission's approval of Conditional Use Application No. 2002.0408C (which approved a proposed three story mixed-use building without off-street parking for four residential units in a Small Scale NC-2, Neighborhood Commercial District) for property located at 2863 California Street, on the south side between Broderick and Divisadero Streets (Lot 23 in Assessor's Block 1028).

October 2, 2002 Board of Supervisors — REFERRED: Board of Supervisors

October 7, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Yee

File No. 021673

I hereby certify that the foregoing Motion was APPROVED on October 7, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021685 MOTION NO. M02-177

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021685 **Date Passed:** October 15, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

October 15, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, Newsom, Peskin, Yee
Absent: 2 - McGoldrick, Sandoval

File No. 021685

I hereby certify that the foregoing Motion was APPROVED on October 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021709 MOTION NO. M02-178

[Committee of the Whole – 2012 Olympic Bid.]

Motion scheduling a Committee of the Whole on October 15, 2002, at 3:00 PM to consider legislation amending Resolution No. 910-01, commending the efforts of the San Francisco Bay Area Sports Organizing Committee (BASOC) in achieving the status of finalist in the competition to select a U. S. Candidate City for the 2012 Olympic Games, removing the qualification that the City's obligations under the agreement are contingent upon BASOC not being in default of any of its obligations under the agreement, approving and authorizing the Mayor to execute agreements consistent with the terms and conditions in the Host City Agreement issued for the 2008 Olympic Games, and approving the First Amendment to the BASOC Agreement giving the City the right to require BASOC to fund any bid deposit.

MOVED, That the Board of Supervisors convene as a Committee of the Whole on October 15, 2002, at 3:00 PM for the purpose of considering legislation contained in Board File No. 021688 that amends Resolution No. 910-01, commends the efforts of the San Francisco Bay Area Sports Organizing Committee (BASOC) in achieving the status of finalist in the competition to select a U. S. Candidate City for the 2012 Olympic Games, removes the qualification that the City's obligations under the agreement are contingent upon BASOC not being in default of any of its obligations under the agreement, approves and authorizes the Mayor to execute agreements consistent with the terms and conditions in the Host City Agreement issued for the 2008 Olympic Games, and approves the First Amendment to the BASOC Agreement giving the City the right to require BASOC to fund any bid deposit.

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City and County of San Francisco

Tails

Motion

File Number: 021709 **Date Passed:** October 15, 2002

Motion scheduling a Committee of the Whole on October 15, 2002, at 3:00 PM to consider legislation amending Resolution No. 910-01, commending the efforts of the San Francisco Bay Area Sports Organizing Committee (BASOC) in achieving the status of finalist in the competition to select a U. S. Candidate City for the 2012 Olympic Games, removing the qualification that the City's obligations under the agreement are contingent upon BASOC not being in default of any of its obligations under the agreement, approving and authorizing the Mayor to execute agreements consistent with the terms and conditions in the Host City Agreement issued for the 2008 Olympic Games, and approving the First Amendment to the BASOC Agreement giving the City the right to require BASOC to fund any bid deposit.

October 15, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021709

I hereby certify that the foregoing Motion was APPROVED on October 15, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021719 **MOTION NO** M02-179

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[Final Map for a 5 Unit Residential Condominium Project]

Motion approving Final Map of 1191 – 1193 Noe Street and 4094 – 4096 – 4098 25th Street, A Residential Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 6537, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1191 – 1193 Noe Street and 4094 – 4096 – 4098 25th Street, A Residential Condominium Project", being a subdivision of Lot 26, Portion of Assessor's Block No. 6537, comprising 6 sheets, approved the 9th day of October, 2002 by Department of Public Works Order No. 173,759, be and the same is hereby approved and adopted as the Official Map of "1191 – 1193 Noe Street and 4094 – 4096 – 4098 25th Street, A Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Department, by its letter dated January 14, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 021719 **Date Passed:** October 21, 2002

Motion approving Final Map of 1191 - 1193 Noe Street and 4094 - 4096 - 4098 25th Street, A Residential Condominium Project, being a subdivision of Lot 26 in Assessor's Block No. 6537, and adopting findings pursuant to City Planning Code Section 101.1.

October 21, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021719

I hereby certify that the foregoing Motion was APPROVED on October 21, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

41 Library
100 Larkin Street Govt Information Center

As Amended in Board 10/28/02

FILE NO. 021636 MOTION NO. M02-180

[Minor Sidewalk Encroachment Appeal]

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 1901 Hyde Street and granting an Encroachment Permit, subject to certain conditions.

MOVED, That pursuant to applicable provisions of Section 723.2 of the Public Works Code, the decision of the Department of Public Works by its letter dated September 13, 2002, to deny Rebekah and Rich Wood a minor sidewalk encroachment permit to legalize the construction of a trash can storage enclosure on Green Street within the public sidewalk right-of-way and the existing menu board advertising Frascati Restaurant at 1901 Hyde Street, be and the same is hereby disapproved; and, be it

FURTHER MOVED, That the encroachment permit is hereby granted, subject to the following conditions:

1. The encroachment permit is granted only for the proposed trash can enclosure on Green Street, and not for the proposed menu board for the restaurant.
2. The encroachment permit is non-transferable, and is for the benefit of the applicant only. Upon transfer of the space to any other business operator, this permit automatically terminates.
3. The construction of the trash can storage enclosure on Green Street shall be built and maintained consistent with the proposed design submitted by the applicant to the Board of Supervisors on October 28, 2002, a copy of which is included in the Board's File No. 021636, and a copy of which shall be delivered to the Department of Public Works.

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City and County of San Francisco

Tails

Motion

File Number: 021636 **Date Passed:** October 28, 2002

Motion disapproving the decision of the Department of Public Works' denial of an Encroachment Permit for 1901 Hyde Street and granting an Encroachment Permit.

October 28, 2002 Board of Supervisors — AMENDED

Ayes: 9 - Ammiano, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Noes: 1 - Daly
Absent: 1 - Peskin

October 28, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 1 - Peskin

File No. 021636

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on October 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021677 MOTION NO. M02-181

[Discretionary Review Appeal]

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0674D, on property located at 2750 Lake Street, pursuant to Emergency Ordinance No. 186-02.

MOVED, That the Planning Director's Discretionary Review recommendation dated September 27, 2002, Case No. 2002.674D, approving Building Permit Application No. 2002.02.27.0160 proposing to construct habitable rooms over an existing one-story garage of a single-family residence in an RH-1(D) (Residential, House, One-Family Detached) District, and a 40-X Height and Bulk district, on property located at:

2750 Lake Street, north side between 28th and 29th Avenues;

Lot 007, in Assessor's Block 1330,

be and the same is approved.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021677 **Date Passed:** October 28, 2002

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0674D, on property located at 2750 Lake Street, pursuant to Emergency Ordinance No. 186-02.

October 28, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Yee
Noes: 2 - Gonzalez, Sandoval
Absent: 1 - Peskin

File No. 021677

I hereby certify that the foregoing Motion was APPROVED on October 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021758 MOTION NO. M02-182

[Final Map for a 212 Unit Residential Condominium Project]

Motion approving Final Map of 140 South Van Ness Avenue, A Residential Condominium Project, being a subdivision of Lot 47 in Assessor's Block No. 3514, and adopting findings pursuant to City Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 140 South Van Ness Avenue, A Residential Condominium Project", being a subdivision of Lot 47, Portion of Assessor's Block No. 3514, comprising 28 sheets, approved the 25th day of September, 2002 by Department of Public Works Order No. 173,730, be and the same is hereby approved and adopted as the Official Map of "140 Van Ness Avenue, A Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the City Planning Commission, by its letter dated March 28, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of City Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

L.S.

FOR John R. Martin, L.S.
County Surveyor

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021758 **Date Passed:** October 28, 2002

Motion approving Final Map of 140 South Van Ness Avenue, A Residential Condominium Project, being a subdivision of Lot 47 in Assessor's Block No. 3514, and adopting findings pursuant to City Planning Code Section 101.1.

October 28, 2002 Board of Supervisors — APPROVED

Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell
Absent: 5 - McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021758

I hereby certify that the foregoing Motion was APPROVED on October 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021769 MOTION NO. M02-183

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell

City and County of San Francisco
Tails
Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021769 **Date Passed:** October 28, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

October 28, 2002 Board of Supervisors — APPROVED

Ayes: 6 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell
Absent: 5 - McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021769

I hereby certify that the foregoing Motion was APPROVED on October 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021583 MOTION NO. M02-184

[Discretionary Review Appeal]

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0706DD, on property located at 950 Corbett Street, pursuant to Emergency Ordinance No. 186-02.

MOVED, That the Planning Director's Discretionary Review recommendation dated September 18, 2002, Case No. 2002.0706DD, approving Demolition Permit Application No. 2002.0110.6628 to demolish the existing two story one-family dwelling and request for Discretionary Review of Building Permit Application No. 2002.0110.6632, to construct a new 5 story structure containing 3 dwelling units and 4 parking spaces, in an RM-1 (Residential Mixed, Low Density) District, and a 40-X Height and Bulk district, on property located at:

950 Corbett Avenue, west side between Hopkins Avenue and Market Street;

Lot 013, in Assessor's Block 2799,

be and the same is approved.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021583 **Date Passed:** October 28, 2002

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0706DD, on property located at 950 Corbett Street, pursuant to Emergency Ordinance No. 186-02.

October 28, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Sandoval, Yee
Absent: 2 - Newsom, Peskin

File No. 021583

I hereby certify that the foregoing Motion was APPROVED on October 28, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

41 Library
100 Larkin Street Govt Information Center

FILE NO. 021788 MOTION NO. M02-185

[Appointment, Planning Commission]

Motion approving the Mayor's nomination of William L. Lee to Seat No. 7 of the Planning Commission, term to be determined by lot.

WHEREAS, Pursuant to Charter Section 4.105, the Mayor has submitted a communication notifying the Board of Supervisors of the appointment to Seat No. 7; and

WHEREAS, Under Charter Section 4.105, the Board of Supervisors must approve the appointment; and

WHEREAS, The Board of Supervisors, by Motion 02-80, established a process to review the Mayor's appointment to the Board of Appeals; now, therefore, be it

MOVED, That the Board of Supervisors hereby approves the Mayor's nomination to the Planning Commission:

William L. Lee, new position, Seat No. 7, must be nominated by the Mayor, term to be determined by lot.

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Motion

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File Number: 021788 **Date Passed:** November 4, 2002

Motion approving the Mayor's nomination of William L. Lee to Seat No. 7 of the Planning Commission, term to be determined by lot.

November 4, 2002 Board of Supervisors — APPROVED

Ayes: 10 - Ammiano, Daly, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee
Noes: 1 - Gonzalez

File No. 021788

I hereby certify that the foregoing Motion was APPROVED on November 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021823 MOTION NO. M02-186

[Committee of the Whole.]

Motion scheduling a Committee of the Whole on November 4th, 2002, at 3:00 PM to hold a hearing on the final report of the Transgender Civil Rights Implementation Task Force.

WHEREAS, The Transgender Civil Rights Implementation Task Force has completed its two year task of implementing the goals of the 1994 Human Rights Commission report on transgender human rights violations and recommendations for change; and,

WHEREAS, Given the recent murder of Gwen Araujo, a transgender teenager from Silicon Valley, has heightened the sense of urgency concerning human rights violations against the transgender community; now therefore be it,

MOVED, That the Board of Supervisors of the City and County of San Francisco respectfully hereby schedules a Committee of the Whole on November 4th, 2002, at 3:00 PM to hold a hearing on the final report of the Transgender Civil Rights Implementation Task Force.

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Supervisors Leno, Ammiano, Gonzalez, Maxwell, McGoldrick, Peskin
BOARD OF SUPERVISORS

City Hall
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San Francisco, CA 94102-4689

City and County of San Francisco
Tails
Motion

File Number: 021823 **Date Passed:**

Motion scheduling a Committee of the Whole on November 4th, 2002, at 3:00 PM to hold a hearing on the final report of the Transgender Civil Rights Implementation Task Force.

November 4, 2002 Board of Supervisors — APPROVED

Ayes: 11 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval, Yee

File No. 021823

I hereby certify that the foregoing Motion was APPROVED on November 4, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

41 Library
100 Larkin Street Govt Information Center

As Amended in Board 11/12/02

FILE NO. 021711 MOTION NO. M02-187

[Discretionary Review Appeal]

Motion ~~approving decision~~ adopting recommendation of the Planning Director approving Discretionary Review 2002.0803DDDD, on property located at 281-285 Edgewood Avenue, pursuant to Emergency Ordinances No. 186-02.

MOVED, That the Planning Director's Discretionary Review recommendation dated September 30, 2002, Case No. 2002.0803DDDD, recommending approval, with certain revisions, of Building Permit Application Nos. 2002.03.15.1545, 2002.03.21.2036 and 2002.03.15.1556, proposing to construct a new 27-foot tall single-family dwelling and a detached garage on a vacant lot, and to construct a second detached garage on an adjoining lot, within an RH-1(D) (Residential House, One-Family Detached) District and a 40-X Height and Bulk District, on property located at:

281-285 Edgewood Avenue, west side, south of Belmont Avenue;

Lots 042 and 043, in Assessor's Block 2641,

be and the same ~~is approved~~ is adopted.

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Motion

City Hall
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San Francisco, CA 94102-4689

File Number: 021711 **Date Passed:** November 12, 2002

Motion approving decision of the Planning Director approving Discretionary Review 2002.0803DDDD, on property located at 281-285 Edgewood Avenue, pursuant to Emergency Ordinances No. 186-02.

November 12, 2002 Board of Supervisors — AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Leno, Yee

November 12, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Leno, Yee

File No. 021711

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on November 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay

for Gloria L. Young
Clerk of the Board

FILE NO. 021852 MOTION NO. M02-188

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Tails

Motion

File Number: 021852 **Date Passed:** November 12, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

November 12, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Leno, Yee

File No. 021852

I hereby certify that the foregoing Motion was APPROVED on November 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

for Gloria L. Young
Clerk of the Board

FILE NO. 021866 MOTION NO. M02-189

[Committee of the Whole.]

Motion scheduling a Committee of the Whole on November 12th, 2002, at 3:00 PM to hold a hearing of the Legislative Analyst Report on the 2000 Census Data by supervisorial district.

WHEREAS, the Board requested that the Office of the Legislative Analyst (OLA) analyze the 2000 Census data for San Francisco as a whole, as well as, by supervisorial district; and,

WHEREAS, The OLA report provides the latest and most comprehensive analysis of census data by supervisorial district; now therefore be it,

MOVED, That the Board of Supervisors of the City and County of San Francisco respectfully hereby schedules a Committee of the Whole on November 12th, 2002, at 3:00 PM to hold a hearing of the Legislative Analyst on the 2000 Census Data.

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Tails

Motion

File Number: 021866 **Date Passed:** November 12, 2002

Motion scheduling a Committee of the Whole on November 12th, 2002, at 3:00 PM to hold a hearing of the Legislative Analyst Report on the 2000 Census Data by supervisorial district.

November 12, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 2 - Leno, Yee

File No. 021866

I hereby certify that the foregoing Motion was APPROVED on November 12, 2002 by the Board of Supervisors of the City and County of San Francisco.

Kay Gulbengay
for
Gloria L. Young
Clerk of the Board

As Amended in Board
8/19/02

FILE NO. 021439 MOTION NO. M02-190

[Committee of the Whole.]

lw 8/19 **Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on ~~August 19, 2002~~ November 18, 2002 at 3:00 PM.**

lw 8/19 MOVED, That the Board of Supervisors convene as a Committee to the Whole to consider legislation regarding 601 King Street, File Numbers 021297 and 012042 on ~~August 19, 2002 at 3:00 PM.~~ November 18, 2002.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021439 **Date Passed:** November 18, 2002

Motion scheduling a Committee of the Whole to consider legislation regarding 601 King Street, to be held on November 18, 2002 at 3:00 PM.

August 19, 2002 Board of Supervisors — AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

August 19, 2002 Board of Supervisors — CONTINUED AS AMENDED

Ayes: 10 - Ammiano, Daly, Gonzalez, Hall, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Newsom

November 18, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Hall, Leno, Yee

File No. 021439

I hereby certify that the foregoing Motion was APPROVED on November 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021761 MOTION NO. M02-191

[Discretionary Review Appeal]

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0174D, on property located at 1515 – 18th Avenue, pursuant to Emergency Ordinance No. 186-02.

MOVED, That the Planning Director's Discretionary Review recommendation dated October 11, 2002, Case No. 2002.0174D, recommending approval of Building Permit Application No. 2001.12.26.591, proposing to construct a 11' X 12' deck and stairs 12' above grade at the rear of the single-family dwelling located in an RH-1 (Residential, House, One-Family) District and a 40-X Height/Bulk District, on property located at:

1515 – 18th Avenue, west side between Kirkham and Lawton Streets;
Lot 001E, in Assessor's Block 1864,

be and the same is approved.

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021761 **Date Passed:** November 18, 2002

Motion approving decision of the Planning Director approving Discretionary Review Case No. 2002.0174D, on property located at 1515-18th Avenue, pursuant to Emergency Ordinance No. 186-02.

November 18, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Hall, Leno, Yee

File No. 021761

I hereby certify that the foregoing Motion was APPROVED on November 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021832 MOTION NO. M02-192

[Final Map for a 10 Unit Mixed Use Condominium Project]

Motion approving Final Map of 3345 17th Street, a Mixed Use Condominium Project, being a subdivision of Lot 85 Assessor's Block No. 3576, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 3345 17th Street, a Mixed Use Condominium Project", being a subdivision of Lot 85, Portion of Assessor's Block No. 3576, comprising 6 sheets, approved the 6th day of November, 2002 by Department of Public Works Order No. 173,808, be and the same is hereby approved and adopted as the Official Map of "3345 17th Street, A Mixed Use Condominium Project"; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated May 16, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021832 **Date Passed:** November 18, 2002

Motion approving Final Map of 3345 17th Street, a Mixed Use Condominium Project, being a subdivision of Lot 85 Assessor's Block No. 3576, and adopting findings pursuant to Planning Code Section 101.1.

November 18, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Hall, Leno, Yee

File No. 021832

I hereby certify that the foregoing Motion was APPROVED on November 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021838 **MOTION NO.** M02-193

[Final Map for a 6 Unit Residential Condominium Project]

Motion approving Final Map of 2134 Green Street, A Residential Condominium Project, being a subdivision of Lot 6 in Assessor's Block No. 540, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 2134 Green Street, A Residential Condominium Project", being a subdivision of Lot 6, Portion of Assessor's Block No. 540, comprising 5 sheets, approved the 13th day of November, 2002 by Department of Public Works Order No. 173,815, be and the same is hereby approved and adopted as the Official Map of "2134 Green Street, A Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated September 17, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021838 **Date Passed:** November 18, 2002

Motion approving Final Map of 2134 Green Street, A Residential Condominium Project, being a subdivision of Lot 6 in Assessor's Block No. 540, and adopting findings pursuant to Planning Code Section 101.1.

November 18, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Hall, Leno, Yee

File No. 021838

I hereby certify that the foregoing Motion was APPROVED on November 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021904 MOTION NO. M02-194

[Committee of the Whole.]

Motion scheduling the Board of Supervisors to sit as Committee of the Whole on December 9, 2002, at 3:00 p.m., to hold a hearing to consider adopting a Resolution of Necessity in connection with a proposal to acquire by eminent domain portions of Lot 24 in San Francisco Assessor's Block 5474, located at Keith Street and LeConte Avenue, and adjacent portions of Keith Street and LeConte Avenue, for the construction of a substation for the Third Street Light Rail Project.

WHEREAS, The Municipal Transportation Agency Board in adopting Resolution No. 02-079 on August 6, 2002, found that the acquisition by eminent domain of the real property at Keith Street and LeConte Avenue, situated on Block 5474, Lot 24, and adjacent portions of Keith Street and LeConte Avenue, in the City and County of San Francisco ("the Property") is necessary for construction of a substation for the Third Street Light Rail Project, and that failure to acquire the Property and construct the substation would substantially impair the performance of the light rail vehicles along the Third Street Corridor; and,

WHEREAS, Section 1245.235 of the Code of Civil Procedure requires that a public hearing be held by the full Board of Supervisors to make a finding that there is or is not a public interest and necessity for the City and County of San Francisco to acquire the real property at Keith Street and LeConte Avenue, situated on Block 5474, Lot 24, and adjacent portions of Keith Street and LeConte Avenue, in the City and County of San Francisco for construction of a substation for the Third Street Light Rail Project, that the Project's substation is planned and located in a manner that will be most compatible with the greatest public good and the least private injury, that the property to be acquired is necessary for the project and

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that the City has made the offer required by California Government Code Section 7267.2 to the owner(s) of record of the property; now, therefore, be it

MOVED, That it is the intention of this Board of Supervisors to hold a public hearing of the full Board of Supervisors to consider adopting a resolution to acquire the Property by eminent domain; and be it

FURTHER MOVED, This public hearing is being set in such a manner that a minimum of fifteen (15) days notice shall be given to each person whose name and address appears on the last equalized San Francisco County assessment roll notice for the Property to be acquired; and, be it

FURTHER MOVED, Said public hearing is to be held in accordance with Section 1245.235 of the Code of Civil Procedure and notice is hereby given that on the 9th day of December, 2002, beginning at 3:00 p.m., the Board of Supervisors will hold such public hearing; and, be it

FURTHER MOVED, At the public hearing, each person whose name and address appears on the last equalized county assessment role notice for the Property to be acquired and who has filed a written request to appear within fifteen (15) days after the notice was mailed to them by first class mail may appear and be heard at the public hearing on whether the public interest and necessity require the City and County of San Francisco to acquire the Property, the Project's substation is planned and located in the manner that will be most compatible with the greatest public good and least private injury, the Property sought to be acquired is necessary for the Project, and the City has made the offer required by California Government Code Section 7267.2 to the owner(s) of record of the Property. The procedure requires that the resolution to acquire the Property by eminent domain be made by a two-thirds vote of all the members of the Board of Supervisors present or not; and, be it

FURTHER MOVED, A do pass or not pass vote of the Resolution captioned "Resolution authorizing acquisition of portions of Lot 5474, located at Keith Street and Leconte Avenue, and adjacent portions of Keith Street and Leconte Avenue, by eminent domain, for the construction of a substation for the Third Street Light Rail Project," on file with the Clerk of the Board of Supervisors in File No. __021917__, which is hereby declared to be a part of this motion as if set forth fully herein, is to be made.

City and County of San Francisco

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Tails

Motion

File Number: 021904 **Date Passed:** November 18, 2002

Motion scheduling the Board of Supervisors to sit as a Committee of the Whole on December 9, 2002, at 3:00 p.m. to hold a hearing to consider adopting a Resolution of Necessity in connection with a proposal to acquire by eminent domain portions of Lot 24 in San Francisco Assessor's Block 5474, located at Keith Street and LeConte Avenue, and adjacent portions of Keith Street and LeConte Avenue, for the construction of a substation for the Third Street Light Rail Project.

November 18, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Peskin, Sandoval

Absent: 3 - Hall, Leno, Yee

File No. 021904

I hereby certify that the foregoing Motion was APPROVED on November 18, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021767 MOTION M02-195

[Findings]

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), for action by the Board at its next meeting.

IT IS HEREBY MOVED, That the Clerk of the Board be and he/she is hereby directed to prepare findings relating to proposed Conditional Use Application No. 2001.1126C, on property located 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), for action by the Board at its next meeting.

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Motion

File Number: 021767 **Date Passed:**

Motion directing the Clerk of the Board to prepare findings relating to proposed Conditional use Application No. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), for action by the Board at its next meeting.

November 18, 2002 Board of Supervisors — CONTINUED

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 3 - Hall, Leno, Yee
Excused: 1 - Peskin

November 25, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 1 - Hall
Excused: 1 - Peskin

File No. 021767

I hereby certify that the foregoing Motion was APPROVED on November 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021795 MOTION NO. M02-196

[Environmental Review]

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), and adopting findings pursuant to Emergency Ordinance No. 186-02.

MOVED, That on June 13, 2002, the Planning Department adopted and issued a Negative Declaration at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), north side of Geneva Avenue, between Paris and London Streets, making a finding that the project would have no significant impact on the environment; and be it

FURTHER MOVED, That this Board of Supervisors certifies that it has reviewed said Final Negative Declaration and adopts as its own the findings of the Planning Department.

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Motion

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File Number: 021795 **Date Passed:** November 25, 2002

Motion certifying review of Final Negative Declaration relating to proposed Conditional Use of property at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), and adopting findings pursuant to Emergency Ordinance No. 186-02.

November 18, 2002 Board of Supervisors — CONTINUED

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 3 - Hall, Leno, Yee
Excused: 1 - Peskin

November 25, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 1 - Hall
Excused: 1 - Peskin

File No. 021795

I hereby certify that the foregoing Motion was APPROVED on November 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

File No. 021795

FILE NO. 021881 MOTION NO. M02-197

[Final Map for a 16 Unit Residential Condominium Project]

Motion approving Final Map of 1366 Turk Street, A Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 749, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 1366 Turk Street, A Residential Condominium Project", being a subdivision of Lot 4, Portion of Assessor's Block No. 749, comprising 8 sheets, approved the 20th day of November, 2002 by Department of Public Works Order No. 173,826, be and the same is hereby approved and adopted as the Official Map of "1366 Turk Street, A Residential Condominium Project".

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated July 16, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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Motion

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File Number: 021881 **Date Passed:** November 25, 2002

Motion approving Final Map of 1366 Turk Street, A Residential Condominium Project, being a subdivision of Lot 4 in Assessor's Block No. 749, and adopting findings pursuant to Planning Code Section 101.1.

November 25, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Ammiano, Hall, Yee

File No. 021881

I hereby certify that the foregoing Motion was APPROVED on November 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021910 MOTION NO. M02-198

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Motion

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File Number: 021910 **Date Passed:** November 25, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

November 25, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Ammiano, Hall, Yee

File No. 021910

I hereby certify that the foregoing Motion was APPROVED on November 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021934 MOTION NO. M02-199

[Legislative Analyst Request-Business Improvements Districts].

Motion directing the Office of the Legislative Analyst to conduct research on Business Improvement Districts in the City and County of San Francisco and other jurisdictions nationwide.

MOVED, That the Office of the Legislative Analyst ("OLA") shall identify the purpose and history of any existing Business Improvement Districts ("BIDS") in the City and County of San Francisco; and be it

FURTHER MOVED, That the OLA shall identify successful BIDs in other jurisdictions nationwide, (preferably major metropolitan areas) and describe their goals and major accomplishments; and, be it

FURTHER MOVED, That the OLA shall survey these jurisdictions for best practices and analyze the feasibility of adopting those practices in San Francisco; and, be it

FURTHER MOVED, That this analysis should result in a report to the Board of Supervisors within ninety days of this request.

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Motion

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File Number: 021934

Date Passed: November 25, 2002

Motion directing the Office of the Legislative Analyst to conduct research on Business Improvement Districts in the City and County of San Francisco and other jurisdictions nationwide.

November 25, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 3 - Ammiano, Hall, Yee

File No. 021934

I hereby certify that the foregoing Motion was APPROVED on November 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021766 MOTION NO. M02-200

[Zoning Appeal – Disapproving decision of Planning Director, conditional use appeal, 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater).]

Motion disapproving decision of the Planning Director by Motion No. 16468, approving Conditional Use Application no. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater); approving Conditional Use Application No. 2001.1126C for property located at 965-985 Geneva Avenue and 852 Paris Street, subject to the conditions imposed by the Planning Director in his Motion No. 16468, as modified herein, and further subject to additional conditions imposed by the Board of Supervisors as set forth herein~~, and adopting findings pursuant to Emergency Ordinance No. 186-02~~.

MOVED, That the decision of the Planning Director, by Motion No. 16468 dated October 10, 2002, received by the Clerk's Office on October 23, 2002, approving conditional use application No. 2001.1126C, subject to modifications, to merge 6 lots into one lot with a total area greater than 9,999 square feet pursuant to Planning Code Section 712.11, to allow the construction of 8 dwelling units without the required off-street parking pursuant to Section 161(j), to allow a large retail store (Walgreens Pharmacy) to occupy commercial space (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under planning Department's modifications to proposed project, and adopting findings relating to the disapproval of a conditional use application to allow a large retail store (Walgreens Pharmacy) to occupy commercial space (12,800 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under the proposal submitted to the Department by the project sponsor, located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a

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40-X Height and Bulk District on property located at:

965-985 Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's Block 6409)

be and the same is disapproved; and, be it

FURTHER MOVED, That the Board of Supervisors approves Conditional Use Application No. 2001.1126C for the property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), subject to the following Conditions:

1. The Board of Supervisors imposes the conditions imposed by the Planning Director in his Motion No. 16468, except as noted in Conditions 2 and 3 below.

2. Conditions 1 and 2 imposed by the Planning Director are amended to reflect the following additional condition imposed by the Board of Supervisors:

As indicated in the site map included in Board File No. 021766, retail units #1 and #2 shall each be at least 15 feet wide, and at least 28' 9" deep (these two units shall each be approximately 450 square feet in area) with the remainder of the available retail ground floor space at the site being reserved for the larger retail unit.

3. Condition 5 imposed by the Planning Director is deleted.

4. Four of the eight housing units shall be affordable at 100% of median income for fifty years.

5. The four remaining housing units shall be affordable at 60% of median income for fifty years.

6. Retail unit # 2 on the site map shall be reserved for a neighborhood serving youth retail establishment. If, after one year from the date of availability for occupancy, retail unit #2 has not been leased at a reasonable lease rate, and providing that the project sponsor has made a genuine effort to lease retail unit #2, retail unit #2 may be leased by the project sponsor to a business that is not a neighborhood serving youth retail establishment.

7. The awning at the site shall be maintained.

8. The exterior to the project shall be transparent, relying primarily on glass and similar materials, and shall simulate the character of the exteriors of other commercial buildings in the neighborhood.

City and County of San Francisco

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Tails

Motion

File Number: 021766 **Date Passed:** November 25, 2002

Motion disapproving decision of the Planning Director by Motion No. 16468, approving Conditional Use Application No. 2001.1126C, on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), and adopting findings pursuant to Emergency Ordinance No. 186-02.

November 18, 2002 Board of Supervisors — CONTINUED

Ayes: 7 - Ammiano, Daly, Gonzalez, Maxwell, McGoldrick, Newsom, Sandoval
Absent: 3 - Hall, Leno, Yee
Excused: 1 - Peskin

November 25, 2002 Board of Supervisors — AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Newsom, Sandoval, Yee
Absent: 1 - Hall
Excused: 1 - Peskin

November 25, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 9 - Ammiano, Daly, Gonzalez, Leno, Maxwell, McGoldrick, Peskin, Sandoval, Yee
Absent: 1 - Hall
Excused: 1 - Newsom

File No. 021766

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on November 25, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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FILE NO. 021969 MOTION NO. M02-201

[Adopting findings related to the conditional use appeal on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater).]

Motion adopting findings related to the appeal of the Planning Director's approval of Conditional Use Application No. 2001.1126C, which approved the merger of six lots into one lot with a total area greater than 9,999 square feet pursuant to Planning Code Section 712.11, allowed the construction of eight dwelling units without the required off-street parking pursuant to Section 161(j), allowed a large retail store (Walgreens Pharmacy) to occupy commercial space (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under Planning Department's modification to the proposed project, in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X height and Bulk District on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), north side of Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's Block 6409).

Consistent with the provisions of Emergency Ordinance No. 186-02, the appellant, Lawrence Lee, filed a timely appeal on October 23, 2002, protesting the approval by the Planning Director of an application for a conditional use authorization (Conditional Use Application No. 2001.1126C), which authorized, subject to conditions imposed by the Planning Director, the merger of six lots into one lot with a total area greater than 9,999 square feet pursuant to Planning Code Section 712.11, allowed the construction of eight dwelling units without the required off-street parking pursuant to Section 161(j), allowed a large retail store (Walgreens Pharmacy) to occupy commercial space (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to

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Section 712.21 under planning Department's modifications to proposed project, and adopted findings relating to the disapproval of a conditional use application to allow a large retail store (Walgreens Pharmacy) to occupy commercial space (12,800 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under the proposal submitted to the Department by the project sponsor, located in an NC-3 (Moderate-Scale Neighborhood Commercial) District and in a 65-Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X Height and Bulk District on property located at 965-985 Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's Block 6409).

The public hearing before the Board of Supervisors on said appeal was scheduled for November 18, 2002. On November 18, 2002, the Board opened the public hearing and received a limited amount of testimony, and then continued the hearing to November 25, 2002. On November 25, 2002, the Board reopened the duly noticed hearing on the appeal from the Planning Director's approval referred to in the first paragraph of this motion. Following the conclusion of the public hearing on November 25, the Board disapproved the decision of the Planning Director (his Motion No. 16468), and approved the issuance of the requested Conditional Use Application No. 2001.1126C, subject to the conditions imposed by the Planning Director, as modified by the Board of Supervisors, and subject to additional conditions imposed by the Board of Supervisors.

In reviewing the appeal of the approval of the requested conditional use authorization, this Board reviewed and considered the written record before the Board and all of the public comments made in support of and in opposition to the appeal.

NOW, THEREFORE, BE IT MOVED, That the Board of Supervisors of the City and County of San Francisco hereby adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Director of Planning in his Motion No. 16468, dated October 10, 2002, except as indicated below; and, be it

FURTHER MOVED, That the Board of Supervisors further took notice that the Planning Commission considered the appeal of the Preliminary Negative Declaration on June 13, 2002, upheld the Negative Declaration, and determined that an Environmental Impact Report was not required for this project. The Board finds that there have been no substantial changes in project circumstances, and there has been no new information of substantial importance that would change the environmental determination made by the Planning Commission.

FURTHER MOVED, That the primary objection to the Planning Director's decision was his decision to reduce the size of the largest retail space on the ground floor of the project site. The Board of Supervisors finds that the project, with a slight expansion in the size of the largest of the three retail units, and a reduction in the street frontage of the two remaining retail units to 15' of frontage, will not discourage the retention and provision of neighborhood-serving goods and services in the Geneva Avenue commercial corridor, and will preserve and enhance future opportunities for resident employment and ownership. The presence of three vibrant and robust retail tenants at the project site will ensure and encourage the retention and provision of neighborhood-serving goods and services in this district, and will help other retail establishments in the neighborhood survive and prosper by attracting residents to the shopping area, thereby promoting the employment of neighborhood residents in prevailing wage jobs. In addition, the Board of Supervisors has encouraged the retention and provision of neighborhood serving goods and services at the project site by requiring that retail unit #2 on the project site map in Board File No. 021766 be reserved for a neighborhood serving youth retail establishment. (If, after one year from the date of availability for occupancy, retail unit # 2 has not been leased at a reasonable lease rate, and providing that the project sponsor has made a genuine effort to lease retail unit #2, retail unit #2 may be leased by the project sponsor to a business that is not a neighborhood serving youth retail establishment.)

The Board further finds that the project sponsor agreed that four of the eight housing units shall be affordable at 100% of the median income for fifty years, and the remaining four housing units shall be affordable at 60% of the median income for fifty years. This will provide greater conservation and protection for housing, neighborhood character, and the cultural and economic diversity of this neighborhood, and will preserve and enhance the affordable housing supply in the City and in this neighborhood.

FURTHER MOVED, That at its November 25, 2002, meeting the Board of Supervisors disapproved the decision of the Planning Director, and approved the issuance of requested Conditional Use Application No. 2001.1126C, with the following conditions:

1. The Board of Supervisors imposed the conditions imposed by the Planning Director in his Motion No. 16468, except as noted in Conditions 2 and 3 below.

2. Conditions 1 and 2 imposed by the Planning Director were amended to reflect the following additional condition imposed by the Board of Supervisors:

As indicated in the site map included in Board File No. 021766, retail units #1 and #2 shall each be at least 15 feet wide, and at least 28' 9" deep (these two units shall each be approximately 450 square feet in area) with the remainder of the available retail ground floor space at the site being reserved for the larger retail unit.

3. Condition 5 imposed by the Planning Director was deleted.

4. Four of the eight housing units shall be affordable at 100% of median income for fifty years.

5. The four remaining housing units shall be affordable at 60% of median income for fifty years.

6. Retail unit # 2 on the site map shall be reserved for a neighborhood serving youth retail establishment. If, after one year from the date of availability for occupancy, retail unit #2 has not been leased at a reasonable lease rate, and providing that the project sponsor has

made a genuine effort to lease retail unit #2, retail unit #2 may be leased by the project sponsor to a business that is not a neighborhood serving youth retail establishment.

7. The awning at the site shall be maintained.

8. The exterior to the project shall be transparent, relying primarily on glass and similar materials, and shall simulate the character of the exteriors of other commercial buildings in the neighborhood.

FURTHER MOVED, That with the imposition of the revised Conditions, as listed above, the Board of Supervisors finds that the Project, as proposed and approved with the conditions imposed by the Planning Commission and as amended by the Board, will meet the requirements of Planning Code Section 303. The revised Project will provide a development that is necessary or desirable for, and compatible with, the neighborhood of the community, and that such use will not be detrimental to the health, safety, convenience or general welfare of persons residing or working in the vicinity, or injurious to property, improvements or potential development in the vicinity, and that such use will not adversely affect the General Plan.

FURTHER MOVED, That, on balance, the Project, as revised by the Board of Supervisors, is consistent with the objective and Policies of the General Plan, and is consistent with the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That the Board of Supervisors, after carefully balancing the competing public and private interests, disapproved the decision of the Planning Director by his Motion 16468, dated October 10, 2002, and approved the issuance of Conditional Use Application No. 2001.1126C on property located at 965-985 Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's Block 6409), subject to the revised conditions imposed by the Board on November 25, 2002, as referred to earlier in this motion.

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Motion

File Number: 021969 **Date Passed:** December 9, 2002

Motion adopting findings related to the appeal of the Planning Director's approval of Conditional Use Application No. 2001.1126C, which approved the merger of six lots into one lot with a total area greater than 9,999 square feet pursuant to Planning Code Section 712.11, allowed the construction of eight dwelling units without the required off-street parking pursuant to Section 161(j), allowed a large retail store (Walgreens Pharmacy) to occupy commercial space (10,000 gross square feet) on the ground floor and on a new mezzanine in excess of 5,999 square feet pursuant to Section 712.21 under Planning Department's modification to the proposed project, in an NC-3 (Moderate Scale Neighborhood Commercial) District and in a 65-X Height and Bulk District, and in an RH-1 (Residential, One-Family) District in a 40-X height and Bulk District on property located at 965-985 Geneva Avenue and 852 Paris Street (aka Apollo Theater), north side of Geneva Avenue, between Paris and London Streets (Lots 5-10 on Assessor's Block 6409).

December 3, 2002 Board of Supervisors — REFERRED: Board of Supervisors

December 9, 2002 Board of Supervisors — APPROVED

Ayes: 6 - Ammiano, Daly, Gonzalez, Maxwell, Newsom, Sandoval
Absent: 1 - McGoldrick
Excused: 2 - Hall, Peskin

File No. 021969

I hereby certify that the foregoing Motion was APPROVED on December 9, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 021970 MOTION NO. M02-202

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Supervisors Ammiano, Newsom, Daly, Peskin, McGoldrick, Maxwell
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Motion

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File Number: 021970 **Date Passed:** December 9, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

December 9, 2002 Board of Supervisors — APPROVED

Ayes: 8 - Daly, Gonzalez, Hall, Maxwell, McGoldrick, Newsom, Peskin, Sandoval
Absent: 1 - Ammiano

File No. 021970

I hereby certify that the foregoing Motion was APPROVED on December 9, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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100 Larkin Street Govt Information Center

FILE NO. 021994

MOTION NO. M02-203

[Declaration of Emergency]

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

WHEREAS, On March 15, 1993, the Mayor declared a local emergency to exist in connection with the AIDS epidemic and the high rate of HIV infection among injection drug users and the corresponding high rate of transmission of the disease; and

WHEREAS, The Mayor directed the Department of Public Health to take immediate steps to implement a needle exchange program in order to prevent the further spread of HIV infection; and

WHEREAS, The Board of Supervisors adopted a resolution concurring in the declaration of emergency and in the Mayor's directive to the Department of Public Health; and

WHEREAS, Government Code Section 8630 requires the Board of Supervisors to review the need for continuing the local emergency at least every 14 days; and

WHEREAS, The Mayor has determined that the conditions that gave rise to the need for the declaration of emergency still exist and that the need for the declaration of emergency continues; now, therefore, be it

MOVED, That the Board of Supervisors hereby concurs in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

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Supervisors Ammiano, Newsom, Yee, Leno, Daly, Peskin, McGoldrick, Maxwell , Dufty

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 021994 **Date Passed:** December 16, 2002

Motion concurring in the determination of the Mayor for the continued need for the declaration of emergency in connection with the needle exchange program.

December 16, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

File No. 021994

I hereby certify that the foregoing Motion was APPROVED on December 16, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

As Amended in Board
12/16/02

FILE NO. 022014 MOTION NO. M02-204

[Board approval of Department of Public Health budget eliminating or reducing medical services – public notice.]

Motion directing the Clerk of the Board of Supervisors to take specified actions to facilitate public notice of budgetary decisions by the Board of Supervisors causing the closure of, or affecting the level of medical service provided at, health care facilities of the City and County of San Francisco.

WHEREAS, California Health & Safety Code Section 1442.5(a) provides that before closing, or eliminating or reducing the level of medical services provided by, a county facility, the Board of Supervisors shall provide public notice, including notice posted at the entrance to all county health care facilities, of public hearings to be held by the Board prior to its decision to proceed; and,

WHEREAS, California Health & Safety Code Section 1442.5(a) provides that such public notice shall be posted not less than 14 days prior to the public hearings; and,

WHEREAS, California Health & Safety Code Section 1442.5(a) provides that such notice shall contain a list of the proposed reductions or changes, by facility and service, and shall include the amount and type of each proposed change, the expected change, the expected savings, and the number of persons affected; and,

WHEREAS, The San Francisco Superior Court has stated its intent to issue an alternative writ of mandate directing the Board of Supervisors to refrain from adopting or amending any budget with respect to San Francisco General Hospital which has the effect of eliminating or reducing the level of medical services provided at that hospital without a noticed public hearing as required by California Health & Safety Code Section 1442.5(a), or to show cause why the Board should not be required to do so; and,

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WHEREAS, The Board of Supervisors has determined to comply with said alternative writ of mandate; now, therefore, be it

MOVED, That the Board of Supervisors hereby directs the Clerk of the Board of Supervisors to request that the Department of Public Health perform the following actions at the time any proposed final budget, or any proposed amendment to an approved budget, for the Department of Public Health is submitted to the Board of Supervisors which, if adopted, would have the effect of closing or eliminating or reducing the level of medical services provided at any health care facility of the City and County of San Francisco, under California Health & Safety Code Section 1442.5(a):

1. Inform the Clerk of the Board of Supervisors that the proposed budget would have such an affect if adopted.

2. Prepare written public notice, in compliance with the requirements of California Health & Safety Code Section 1442.5(a), stating the date, time, and location at which the full Board of Supervisors shall hold a public hearing on that proposed budget, which date, time, and location shall be provided to the Department of Public Health by the Clerk of the Board of Supervisors.

3. Post such written public notice at the entrance to all health care facilities of the City and County of San Francisco at least 14 days prior to such a Board of Supervisors hearing.

4. Provide a copy of such written public notice to the Clerk of the Board of Supervisors; and, be it

FURTHER MOVED, That the Board of Supervisors hereby directs the Clerk of the Board of Supervisors to schedule such a Board of Supervisors public hearing to occur not less than 14 days after receipt of a copy of such written public notice from the Department of Public Health.

City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 022014 **Date Passed:** December 16, 2002

Motion directing the Clerk of the Board of Supervisors to take specified actions to facilitate public notice of budgetary decisions by the Board of Supervisors causing the closure of, or affecting the level of medical service provided at, health care facilities of the City and County of San Francisco.

December 16, 2002 Board of Supervisors — AMENDED

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

December 16, 2002 Board of Supervisors — APPROVED AS AMENDED

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

File No. 022014

I hereby certify that the foregoing Motion was APPROVED AS AMENDED on December 16, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 022016 MOTION NO. M02-205

[Final Map for an 84 Unit Residential / Commercial Condominium Project]

Motion approving Final Map of Hawthorne Place, a Residential / Commercial Condominium Project, being a subdivision of Lot 92 in Assessor's Block No. 3750, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of Hawthorne Place, A Residential / Commercial Condominium Project", being a subdivision of Lot 92, Portion of Assessor's Block No. 3750, comprising 26 sheets, approved the 11th day of December, 2002 by Department of Public Works Order No. 173,854, be and the same is hereby approved and adopted as the Official Map of Hawthorne Place, A Residential / Commercial Condominium Project.

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated September 9, 2002, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1.

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails

Motion

File Number: 022016 **Date Passed:** December 16, 2002

Motion approving Final Map of Hawthorne Place, a Residential/Commercial Condominium Project, being a subdivision of Lot 92 in Assessor's Block No. 3750, and adopting findings pursuant to Planning Code Section 101.1.

December 16, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

File No. 022016

I hereby certify that the foregoing Motion was APPROVED on December 16, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

FILE NO. 022017 MOTION NO. M02-206

[Final Map for a 14 Unit Live/Work Condominium Project]

Motion approving Final Map of 239 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 161, Assessor's Block No. 3730, and adopting findings pursuant to Planning Code Section 101.1.

MOVED, That the certain map entitled "Map of 239 8th Street, a Live/Work Condominium Project", being a subdivision of Lot 161, Portion of Assessor's Block No. 3730, comprising 4 sheets, approved the 25th day of September, 2002 by Department of Public Works Order No. 173,736, be and the same is hereby approved and adopted as the Official Map of 239 8th Street, A Live/Work Condominium Project; and, be it

FURTHER MOVED, That the San Francisco Board of Supervisors adopts as its own and incorporates by reference herein as though fully set forth the findings made by the Planning Department, by its letter dated October 3, 2001, that the project intended by the map is consistent with the General Plan and the Priority Policies of Planning Code Section 101.1 based on the attached findings; and, be it

FURTHER MOVED, That approval of this map is also contingent upon compliance by the subdivider with all applicable provisions of the San Francisco Subdivision Code and amendments thereto.

RECOMMENDED:

Edwin M. Lee
Director of Public Works

DESCRIPTION APPROVED:

John R. Martin, L.S.
County Surveyor

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City and County of San Francisco

Tails

Motion

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

File Number: 022017 **Date Passed:** December 16, 2002

Motion approving Final Map of 239 8th Street, a Live/Work Condominium Project, being a subdivision of Lot 161, Assessor's Block No. 3730, and adopting findings pursuant to Planning Code Section 101.1.

December 16, 2002 Board of Supervisors — APPROVED

Ayes: 9 - Ammiano, Dufty, Gonzalez, Hall, Ma, Maxwell, Newsom, Peskin, Sandoval
Absent: 2 - Daly, McGoldrick

File No. 022017

I hereby certify that the foregoing Motion was APPROVED on December 16, 2002 by the Board of Supervisors of the City and County of San Francisco.

Gloria L. Young
Clerk of the Board

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